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CONTENTS OF VOLUME NINETEEN

NUMBER 1 MARCH 1940

Page

Memoirs of Hon. William M. Gwin 1
Edited by William Henry Ellison

The Burning of the *Golden Gate* in July 1862 27
The Impressions of a Survivor, André Chavanne
Translated from the French and with an Introduction by Desiré Fricot

The Origin of the Gillespie Mission 43
John Adam Hussey

The Senatorial Election of 1893 in California 59
Harold Francis Taggart

Dr. C. Annette Buckel, The "Little Major" 74
Margaret Elizabeth Martin

Recent Californiana—A Check List of Publications Relating to California and the West 77

News of the Society 79

Marginalia 95

NUMBER 2 JUNE 1940

Gilding the Sunflower 97
A Study of Oscar Wilde's Visit to San Francisco
Lois Foster Rodecape

The Gregson Memoirs 113
Mrs. Gregson's "Memory" and the Statement of James Gregson

Andrew Smith Hallidie 144
Edgar Myron Kahn

Memoirs of Hon. William M. Gwin (Continued) 157
Edited by William Henry Ellison

Recent Californiana—A Check List of Publications Relating to California 185

News of the Society 187

Marginalia 192

NUMBER 3 SEPTEMBER 1940

Page

Edward Vischer's First Visit to California 193
Translated and Edited by Erwin Gustav Gudde

A Note on the Southern Boundary of California 217
Francis Seeley Foote

Changes in the Popular Concept of "California" 219
Lynn Townsend White, Jr.

"San Francisco Society" 225
From *The Elite Directory* of 1879
With an Introduction by Dorothy Harriet Huggins

Francisco de Ulloa Returned 240
Henry Raup Wagner

Finding Facts About the Stanfords in the California State Library.... 245
An Address before the California Historical Society
Delivered at the Stanford Mansion in Sacramento on June 16, 1940
Caroline Wenzel

Memoirs of Hon. William M. Gwin (Continued) 256
Edited by William Henry Ellison

Recent Californiana — A Check List of Publications Relating to to California 278

Book Reviews 280

News of the Society 282

Marginalia 288

NUMBER 4 DECEMBER 1940

Saint Louis and Poker Flat in the Fifties and Sixties 289
From the *Jugenderinnerungen* of Henry Cohn
Translated and Edited by Fritz Ludwig Cohn

The Moral Aspect of California 299
A Thanksgiving Sermon of 1850 by Rev. Charles A. Farley
With an Introduction by Clifford Merrill Drury

Peter Skene Ogden's Trapping Expedition to the Gulf of California, 1829-30 308
Alice Bay Maloney

The Old Limekilns of Marin County 317
Bliss Brown

The Making of Cosmopolitan California 323
An Analysis of Immigration, 1848-1870
Doris Marion Wright

Page

Memoirs of Hon. William M. Gwin (Concluded) 344
Edited by William Henry Ellison

The Boundary Line Between California and Oregon 368
Francis Seeley Foote

Recent Californiana – A Check List of Publications Relating to California 373

News of the Society 375

Marginalia 383

ILLUSTRATIONS

Facing Page

Hon. William M. Gwin 1

André Chavanne 27

Populist Members of California Assembly, 1893 59

Dr. C. Annette Buckel 74

"The Modern Messiah" 97

James and Eliza Gregson 113

Andrew Smith Hallidie 144

Edward Vischer 193

Map of a Survey and Reconnaissance of the Vicinity of the Mouth of the Rio Gila, by A. W. Whipple, Lieut. U. S. Corps Topographical Engineers, November, 1849 217

South Park, San Francisco, 1856 225

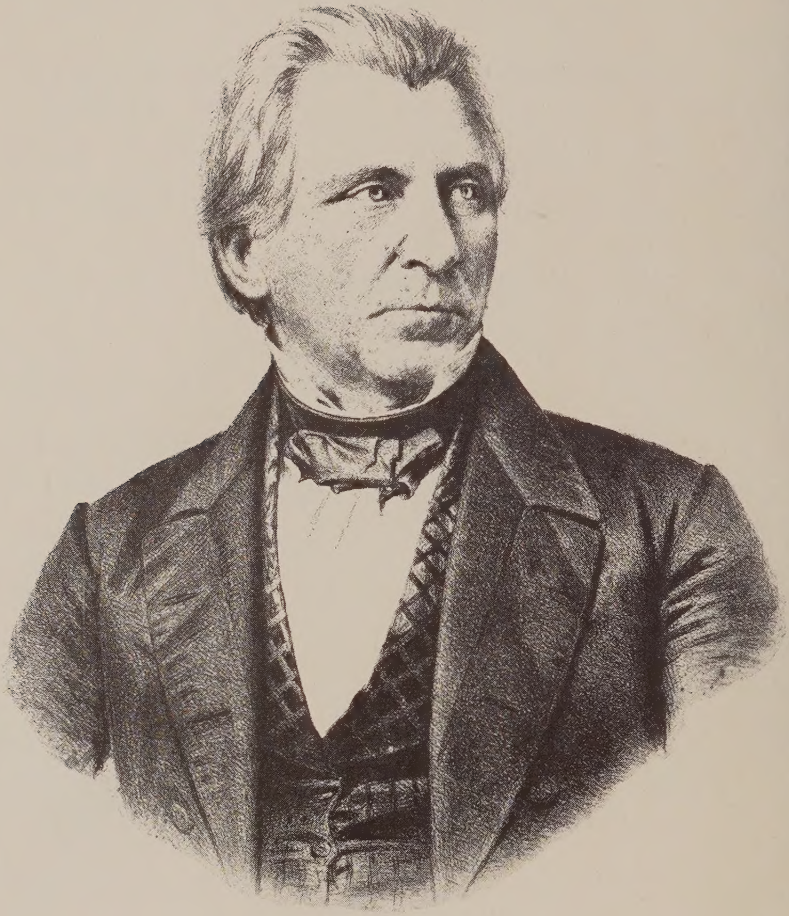
The Mansion and Grounds of Leland Stanford, Governor of California, Corner of Eighth and N Streets, Sacramento 245

Saint Louis, Sierra County, Before 1867 289

Peter Skene Ogden 308

Kilns "C" and "D" 317

Plan of Original Lime Kilns 320



HON. WILLIAM M. GWIN

Courtesy of Mr. Stanford Gwin

Memoirs of Hon. William M. Gwin

Edited by WILLIAM HENRY ELLISON

WILLIAM M. GWIN was born in Sumner County, State of Tennessee, on the ninth of October 1805.[1] He received a collegiate education and graduated at Transylvania University, Lexington, Kentucky. He studied both law and medicine but never practiced the former profession;[2] and after six years' practice of the latter, in which he had great success, he retired from it.[3] He was appointed marshal of Mississippi in 1833, by General [Andrew] Jackson, then President of the United States, and served out Jackson's last term and the whole of Mr. [Martin] Van Buren's term as President.[4] He resigned the office of marshal on the election of General [William H.] Harrison and was elected a member of Congress at large from the State of Mississippi in 1841.[5] He was renominated in 1843 but declined a re-election[6] and in 1846[7] moved to the city of New Orleans, where he was engaged as commissioner in the construction of the customhouse in that city. On the election of General [Zachary] Taylor to the Presidency, he resigned that position and emigrated to California in 1849. He was a member of the state convention that formed the Constitution of California, representing the city of San Francisco, and, on the twentieth of December 1849, was elected United States senator, and drew the term for six years. He was elected to succeed himself in the Senate, and his second term expired on the third of March 1861, he having continuously filled the office of senator from California for the period of twelve years.

He was indebted to the Hon. John C. Calhoun of South Carolina for having turned his attention to the important position that California filled on the American continent. When he took his seat in Congress as a member from Mississippi in 1841, he was greatly prejudiced against Mr. Calhoun. He was born and raised in the neighborhood of General Jackson and was his devoted follower, having received his instruction in politics from his teaching. He was therefore opposed to nullification and considered Mr. Calhoun a dangerous leader, but when he became acquainted with him in Washington City, his opinion was changed. Mr. Calhoun was then a senator from South Carolina, acting with the Democratic party, and Mr. Gwin became very intimate with him and enjoyed his full confidence. In 1844, having resigned his seat as senator, he was Mr. Tyler's secretary of state.

NOTE. These memoirs were dictated by Senator Gwin and presented by him in 1878 to the Bancroft Library. They are published with the permission of the authorities of that Library. A few slight changes in capitalization, spelling, and punctuation have been made and the word "and" has occasionally been omitted. THE EDITORS.

Mr. Calhoun and Mr. Gwin, when in Congress together, had many prolonged conversations on the subject of Texas, and in 1844 while secretary of state he called Mr. Gwin into his counsels, when he was deliberating on the question of the annexation of Texas to the United States. Mr. Calhoun, being a man of peace, opposed to war, devised a plan to settle this question of the annexation of Texas to the United States, by making a proposition to the Government of Mexico for a readjustment of the boundaries between the two countries. His plan was to make an initial point on the Pacific Coast, half way between what is now the city of San Francisco and the city of Monterey, ascertain the latitude at that point, run [a line] directly east to the Rio Grande, and make that river the boundary between the two countries [from there] to the Gulf of Mexico. As an inducement to the Government of Mexico to accept this readjustment of the boundaries, he offered to pay to that country ten millions of dollars. The proposition was made by our Government, through a secret agent, Colonel [G. L.] Thompson, and was promptly rejected by Santa Ana, then President of Mexico.[8] Then Mr. Calhoun entered into negotiations with Texas for the annexation of that country to the United States.

In discussing the question of this proposed boundary, Mr. Calhoun dilated upon the great importance to the commercial world of the Bay of San Francisco. He said that a city located on its waters was destined to be the New York of the Pacific Coast, but [would be] more supreme, as it would have no such rivals as Boston, Philadelphia, and Baltimore. This was in 1844. He said it was only a question of time when it would belong to the United States, a great commercial power on this continent. He described, with the great force that characterized everything he said, the greatness of the city that should be established on the Bay of San Francisco, and with words of prophecy that have been literally fulfilled by subsequent events. He said through it would be the direct route of the great commerce of Asia with the western continents, the control of which for thousands of years had given to the nation which had it the control of the commerce and exchanges of the world. The impression he made on Mr. Gwin's mind was never effaced.

When subsequent events made California a portion of the territory of the United States, Mr. Gwin resolved to emigrate to this country. He resigned the office of commissioner of the new customhouse at New Orleans,[9] and went to Washington to settle up his accounts. He arrived there on Sunday morning, the fourth of March 1849. Congress had just adjourned without creating any territorial government for California. During that day he was in consultation with a number of old friends with whom he had served in Congress, in regard to the course he should adopt in California. The failure of Congress to create a territorial government there was entirely a surprise to him. On the following day, Monday, General Taylor was inaugurated; and as the procession was passing Willard's Hotel, Mr. Gwin, returning from the Treasury Department, where [he] had been settling his accounts, met Stephen A. Douglas in front of the hotel, and while looking at the procession as it passed, remarked to the Senator that the next morning he intended to leave the city en route for California. He said that the failure of Congress to give that country a territorial government would force its inhabitants to create a state government, that he intended to advocate that policy and to advocate it with success, and announced himself then and there a candidate for United States senator from California, and [said] that within one year from that time he would ask him [Douglas] to present his credentials as a senator from the State of California. Judge Douglas received the announcement with surprise and astonishment; but after some little hesitation, he replied that he believed Mr. Gwin would succeed and cordially hoped he would. Eleven months thereafter, Mr. Gwin handed his credentials to Judge Douglas, who presented them to the Senate.

Mr. Gwin left New Orleans soon after his return there, and on the last day of March arrived in Panama. There he was detained nearly two months waiting for the steamer *Panama*, then en route round Cape Horn.[10] She cast anchor at San Francisco on the fourth of June 1849. It may not be amiss to refer to some of the passengers on that steamer who became persons of note and national reputation afterwards. Among them were John B. Weller, who had been for many years a distinguished member of Congress from Ohio, then commissioner to run the boundary line between the United States and Mexico,[11] and who was subsequently Mr. Gwin's colleague in the United States Senate for six years, afterwards governor of this State, and subsequently appointed by Mr. Buchanan [as] minister to Mexico; Major [William H.] Emory, of the United States Army, attached to the Boundary Commission;[12] Lieutenant [A. W.] Whipple, his assistant,[13] both of whom distinguished themselves in the Civil War and rose to the rank of major general in the United States Army; ex-Senator [Benjamin] Starke of Oregon; Colonel Joseph Hooker, then a brevet colonel in the United States Army, well known as the celebrated "Fighting General Joe Hooker," who rose to the command of the great Army of the Potomac and is a major general of the Army;[14] Governor [Frederick F.] Low, of this State, who was [a] member of Congress, governor of the State, and minister to China; Thomas Butler King, a distinguished member of Congress from Georgia of many years standing, chairman of the Committee of Naval Affairs in the House of Representatives, who subsequently resigned his seat in Congress and became one of Mr. Gwin's competitors for the United States Senate, and was for some years collector of the port of San Francisco; Lieutenant [Cadwalader] Ringgold of the Navy, who afterwards rose to the rank of admiral; Mrs. General John C. Frémont, whose husband and Mr. Gwin were the first senators from California; Hall McAllister,[15] eminent in the legal profession; Sam Ward,[16] so well known afterwards as the king of the lobby in Washington; and many other persons of note and importance in the subsequent history of the State.

The subject of establishing a state government was an all absorbing topic when Mr. Gwin landed in California.[17] At a public meeting called on the Plaza [San Francisco], about the middle of June, which was addressed by Governor [Peter H.] Burnett, Thomas Butler King and Mr. Gwin, the latter took a strong ground in favor of a state government. On the fourth of July, in Sacramento, he addressed the people, earnestly urging the adoption of a state government. He went thence to Stockton, everywhere advocating the establishment of a state government.[18]

He landed at San Francisco the day after the riot by the "Hounds," in which they destroyed a good deal of property belonging to foreigners and seriously wounded one man. As he walked to the Plaza, he saw a crowd collected, and went up, as a spectator, to ascertain what was its object. He found it was a meeting of citizens, to form themselves into a committee of safety, to protect the city from the depredations of the Hounds. Most unexpectedly to himself, he was called upon, with Mr. James [C.] Ward, a merchant of this city, to sit as a court with the Alcalde, Mr. [Thaddeus M.] Leavenworth, to try these Hounds, right then and there. Mr. Gwin accepted the position, as did Mr. Ward. At the same meeting, Horace Hawes, Hall McAllister, and Frank Turk were appointed prosecuting attorneys for the people, and Alfred [J.] Ellis, sheriff. The court was at once organized, the leaders of the Hounds [were] arrested, tried, and punished by being exiled from the country. Commodore [Thomas ap C.] Jones kindly offered to take the exiles aboard his ship, the *Ohio*, and take them from the country, and I believe they became sailors on board the ship. This restored order in the city.[19]

* * *

Mr. Gwin was elected a delegate from the city to the convention which met on the first of September in Monterey, to form a state constitution. The meeting of that convention was an important era in the history of California. The country had no regularly organized government. The *de facto* government established during the existence of the war had ceased to exist at the termination of the war, and the military or *de facto* government was merely tolerated, in the absence of any other authority to prevent anarchy. Large portions of the population of California ignored the military *de facto* government and proceeded to establish governments in their localities. The Government of the United States had most shamefully neglected the citizens of California. The United States had purchased the country, paid fifteen millions of dollars for it,[20] and failed to give it any form of government. The President of the United States had earnestly urged Congress, then in session, to pass laws giving California a system of government. That session of Congress closed without any law having been passed; another commenced, and the President again earnestly urged upon Congress the necessity of a territorial government for California, but the whole of that session passed away without the passage of any law to that end. The only place where California was named in the statutes of the United States up to this period was in the power given to appoint a postal agent for California; and to the postal agent, as the only legalized officer of the Government of the United States for California, the Secretary of State, Mr. Buchanan, addressed a letter, explaining the difficulties under which the Executive Department of the Government labored by want of action in Congress creating a territorial government. He urged the citizens of California to be patient and abide by the action of the *de facto* government until the next session of Congress, which would doubtless give California a system of government. In the meantime, the discovery of gold on this coast had astonished the whole civilized world, and population was pouring into the country from all sections of the globe, and we had no government that was recognized as such by all the people.[21]

This convention that assembled at Monterey on the first of September had been called together by the necessities of the people, for the purpose of framing a system of government. The responsibility upon the members of the convention was great, and they felt it to be so. They were strangers to each other, did not know the names of the delegates from the various sections even, until they met at Monterey. More than one-fifth of the members of the convention were born outside of the United States, and [since] nearly all of these foreign-born delegates could not speak the English language, one of the first acts of the convention was to appoint an interpreter. In addition to the difficulties by which the members were surrounded was the fact that there was no newspaper published nearer than San Francisco, a hundred and thirty miles distant. There were scarcely any books to enable the members, by reference to authority, to perform their work of forming a constitution. When they met to organize, the members showed a strange distrust of the motives of each other from various sections. The old, settled portions of California sent members to the convention to vote against the formation of a state government. They were afraid of the newcomers, who formed a vast majority of the voting population. They looked upon them somewhat in the light of Goths and Vandals who had come to take possession of the country, regardless of the rights of the older inhabitants. Their suspicions were great against members of the convention who had recently arrived in the country, and they were especially so against Mr. Gwin to whom they attributed in their imaginations the most dangerous designs upon their property in the formation of a state government. So great was their prejudice against him, that at the election of a president of the convention, four-fifths of the members voted for Mr. [Robert Baylor] Semple as president against Mr. Gwin, when the former acknowledged that he had never seen the inside of a legislative assembly and knew no more about the rules of proceedings than a child does in learning his A B C's.[22] And there was reason for this apprehension on the part of the older inhabitants of California. The convention was full of members who had just arrived in the country. Mr. Gwin was elected a member in less than sixty days after he landed in San Francisco; at the assembling of the convention he had not been ninety days a resident of California, yet he was one of the representatives of the newcomers, three-fourths of the voting population. This statement is made as preliminary to giving some account of this convention, from its opening to its close. Mr. Gwin took somewhat of a prominent part in its proceedings throughout, and is well qualified to give an account of its doings, with explanations in regard to some of the provisions of the Constitution.

First, in regard to members, Mr. Gwin had previously had large intercourse with public assemblies in the United States. He had been a citizen, and rather an active one, of three of the older states, had been a member of the Congress of the United States from one of them and subsequently served in the United States Senate for twelve years from this state. Since 1861 to the present time, he has been brought in contact with legislative bodies of the greatest nations of Europe and also in his own country; and in all this experience he declares that he has never seen a body of men who proved themselves to be more honest and loyal in the discharge of their duties than the members of the convention that formed the present Constitution of California. He speaks of them in the aggregate. Some were abler than others, some more fluent, but none had precedence over any other in the patriotism with which he brought all of his labors [and] all of his intellect to the discharge of the duties imposed upon him.

It is proper to refer briefly to some of the members of the convention, individually, who took an active part in the debates and also in committee work, in forming the Constitution, as they will be mentioned in the review of the proceedings of the convention to be made hereafter. First may be named Captain Henry W. Halleck,[23] of the United States Army, who was the secretary of the State of California under the *de facto* government and subsequently a very prominent candidate for United States senator, and was a major general of great distinction in the Army of the United States during the Civil War. Captain Halleck was a gentleman of intellect and great capacity for labor, and devoted all of his energies and all of his time in assisting in the formation of the Constitution. He had thoroughly studied the Constitution of the State of New York and proposed to make it the basis upon which we should frame our Constitution, acknowledging at the same time that the New York Constitution was full of defects. General Halleck was a native of New York; and from the same state Mr. [Winfield

Scott] Sherwood, a gentleman of decided ability who had served one session in the New York legislature, was a candidate for the governorship of California at the first election, and subsequently performed the duties of district judge for a number of years. The New York Constitution was also his favorite as the basis of our action. John McDougal, a western man from Indiana, was elected lieutenant governor at the first election, and on the resignation of Governor Burnett served out his term as governor of the State. Judge [Charles T.] Botts, a gentleman of large ability and great powers of debate, was from Virginia, and its constitution was his favorite. Among the old Californians in the convention were men of great celebrity: General [Mariano G.] Vallejo, whose history is well known and need not be referred to here; General [John A.] Sutter, equally well known without further mention; Pablo de la Guerra, who represented one of the old Spanish families, was himself a man of ability, and served in the legislature and as judge to the day of his death; [José M.] Covarrubias, also for years afterwards a member of the legislature, and other prominent natives of the State. There were also Rodman M. Price, who was afterwards a member of Congress from and governor of the State of New Jersey; [James McHall] Jones, who was afterwards United States district judge for the Southern District of California; Pacificus Ord, United States district attorney; and [Jacob Rink] Snyder, afterwards a member of the legislature and during Polk's and Buchanan's administrations United States sub-treasurer for the Pacific Coast, a man of marked ability and great integrity.

On the first day of September, Saturday, the day upon which the convention was required to assemble, there was no quorum present.[24] On Monday, the third, [Kimball H.] Dimmick, who was chairman pro tem, called the convention to order, and, a quorum being present, considerable difficulty was experienced with the organization. The question arose as to who were really entitled to seats in the convention. This question was a subject of discussion and controversy, until the evening of the fourth, when Mr. Semple was elected president of the convention, and it was organized for business. Further difficulties intervened, and the convention did not get really to work until the sixth, when, on motion of Mr. Gwin, a committee of two members from each district was created, to report a form of Constitution. As an evidence of the suspicion which still prevailed in the convention in regard to the motives of some of the members, it may be mentioned that, although Mr. Gwin as the mover of the resolution was named by the President as chairman of the committee, yet, at the first meeting a motion was made that the committee elect its own chairman, and Mr. Gwin was thus displaced from the position. It is proper to add that the gentleman who made the motion was one of the most honest and fearless members of the convention and subsequently became convinced not only of the good intentions of Mr. Gwin, but has, from the time of the convention to the present day [1878], been one of his most devoted and trusted friends.

In this committee there was a great struggle as to the preference to be given, in the formation of our Constitution, to the Constitution of New York or that of Iowa, one of the latest that had been adopted. Like all such struggles, it resulted in a compromise. The first eight sections of the Declaration of Rights were taken from the Constitution of New York, and all the rest from the Constitution of Iowa. The convention was occupied for several days in discussing and adopting this Bill of Rights in the form in which it now appears in our Constitution,[25] the principal topic of discussion being the right of suffrage, and upon whom it should be conferred. The chief bone of contention was whether the right of suffrage should be confined to every white male citizen of the United States and citizen of Mexico who was a resident of California at the date of the treaty. The rights of the pueblo Indians were protected by a saving clause: two-thirds of the legislature could admit them to the right of suffrage, or their descendants, in special cases.

The great question of slavery in the territories came up in this discussion of the Bill of Rights, and, strange to say, the clause prohibiting slavery or involuntary servitude was passed by a unanimous vote. It had been currently reported that Mr. Gwin and other native-born citizens of the South, members of the convention, intended to resist the insertion of this clause in the Bill of Rights. The event proved that this was a mistake, especially so in Mr. Gwin's case, for he [had] immigrated to California from one of the largest slaveholding sections of the South for the express purpose of withdrawing himself and his posterity from that part of the country where slavery existed, believing, as he then did and subsequently events have proved, that the institution of slavery would be a curse to the white inhabitants where it prevailed.[26]

As an incident in the discussion of this question, a personal difficulty occurred between Mr. [Henry A.] Tefft and Mr. Jones, which caused a disclosure of the sentiment of the members on the subject of duelling. Mr. Tefft used offensive words in regard to Mr. Jones. Mr. Jones required that they should be taken down in writing and that an apology should be made for them. Great difficulty ensued. Mr. Jones being a Louisianian, it was known that he intended to have personal satisfaction from Mr. Tefft, if an apology was not rendered, and Mr. Tefft, feeling that he was under a threat, refused to apologize. Mr. Tefft said that if the issue had gone beyond the legitimate bounds of debate he would apologize to the house, but not to the gentleman, who, he conceived, had impugned the motives of the committee of which he (Mr. Tefft) was a member. The President of the convention thought this was sufficient and that Mr. Jones had too freely criticised the Committee on the Constitution; to which Mr. Gwin replied:

> The gentleman from San Joaquin, as he conceives, has been grossly insulted by the gentleman from San Luis Obispo. Is he to get up here and make an apology before that insult is withdrawn? It is the duty of the house to make these members settle the difficulty here. There should be no settlement out of doors—no bloodshed resulting from what has transpired. The majesty and power of the house should be brought to bear upon this case, and it should be settled before these gentlemen are permitted to leave their seats.[27]

The chair was of the opinion that the gentleman from San Luis Obispo should apologize to the house. Mr. Gwin said that an apology to the house was not an apology to the gentleman who conceived himself insulted. Mr. [Benjamin F.] Moore hoped his friend Mr. Jones would not require any apology here. If there was any misunderstanding let it be settled out of doors. He (Mr. Moore) would not trouble the house (if insulted) by asking any apology here. Mr. Gwin said it was for that very reason he wanted it settled here. In all deliberative bodies, when a difficulty occurred, it was usual to close the doors. Having had some little experience in legislative bodies, he knew the importance of settling questions of this kind before the parties were permitted to go beyond the house. There was another thing he wished to protest against and that was the sacredness of committees. He desired that there should be unlimited debate on all questions. This mammoth committee was able to defend itself. But personalities should be avoided. The affair terminated by both parties apologizing. Again, when the clause prohibiting duelling was under consideration, Mr. Gwin made the following remarks:

> This provision reported by the Committee is verbatim the same that exists in the Constitution of Louisiana, adopted in 1845. It is well known to many of the members of this house that for the last half century Louisiana has been the duelling ground of the New World; it certainly has been for the great valley of the Mississippi. There have been more duels fought in Louisiana than [in] any other state of the Union, and after long experience, the last convention assembled to revise their constitution deliberately adopted the section now under consideration and made it a part of the fundamental law of the land. If we are to benefit at all by precedent, the experience of that state should certainly have some weight with this body. If you go through the cemetery of New Orleans, you will see the whole earth covered with the tombstones of the victims of honor. It is a wonderful and melancholy sight. It is said to have been the practice of the French population to go out almost every morning to fight with small swords or pistols. The practice of duelling has not sprung up here in California yet, and it is to be hoped that it never will. If by our action here, we can have any influence in preventing it, we should certainly exercise that influence.

These abstracts from debates are inserted here to show how thoroughly earnest Mr. Gwin was in putting down the practice of duelling on this coast. In the progress of discussion, he insisted that there was but one thorough remedy against duelling and that was that no man should be eligible to any office in the State who had been engaged, as principal or second, in a duel, and that every officer, before entering upon the discharge of the duties of his office, should take an oath to that effect. This was considered too radical by members of the convention. Mr. Gwin insisted that it was the only effectual remedy. But his proposition was voted down; and then he announced, as his opinion, that the clause then under consideration, if passed (which was passed and is now in the Constitution), would be a dead letter. Unfortunately his prediction has in great part proved to be true. Numerous duels have been fought in the State since.[28]

The three questions that assumed the greatest importance in the deliberations of the convention were, first, corporations and state debt; second, the boundary; and lastly, taxation. The question of corporations and state debt came up first and was elaborately discussed. Mr. Gwin was put forward as the great champion of the policy of restricting the legislature in its power to create a state debt, to charter banks, and to create corporations by special acts. The majority of the select committee appointed to prepare the Constitution differed in its views from Mr. Gwin, who made a minority report, with a bill as a substitute for the report of the majority. After a full discussion, the views of Mr. Gwin were adopted by the convention. It was a notable fact in this discussion that, for the first time, the native Californian members of the convention and the old residents who represented the settled portions of the country, who had up to this period distrusted the motives of Mr. Gwin and were fearful that he would embody into the Constitution provisions that were inimical to their interests and those of their constituents, came to his support almost unanimously, and from that time forward he retained their entire confidence. A few abstracts from Mr. Gwin's remarks, in answer to the objections to his proposition, are all that is necessary to give in this connection.

> It is with most unaffected reluctance, Mr. Chairman, that I engage in the discussion of this question at all. I did hope that it had been completely settled by the advancing spirit of the age and that no member of this body would bring forward any proposition which could in any form introduce the banking system into this country and insist upon its insertion in the Constitution which we are about to adopt. But I am mistaken, and am called upon most reluctantly to buckle on my armor, worn in many a hard-fought battle on this subject, and which I hoped was laid aside forever, and battle for the rights of the people, against monopoly and the legalized association of wealth to appropriate the labor of the many for the benefit of the few.
>
> I will waste but little time on those sections of the report granting the power to create corporations, and leave the discussion that will no doubt take place on them to the legal profession, who will participate in this debate and point out their defects. Yet I cannot permit the occasion to pass without entering my protest against the discretion given to the legislature on this subject. The legislature is to be the sole judge of the necessity of passing special acts for incorporations. Constitutional restrictions are not worth a straw, if they can be set aside in this way. I hope and believe that portion of the section will be stricken out, and what I propose in the minority report may be adopted in its stead. Nor am I satisfied with the section making stockholders liable only for the amount of stock they may hold in the corporation. I have so altered my substitute as to make them liable for the whole of its debts, in proportion to the amount of stock held by each party. If one man hold a hundred shares, he shall be liable for ten times the amount of the debts

of the concern as the man who holds but ten shares; but there shall be a direct liability for all the debts. Without this there is no safeguard for the people against fraud. Precautions should also be taken against the fraudulent transfer of stock to irresponsible persons. A man familiar with the affairs of a corporation, aware of its approaching bankruptcy to which he may have contributed and been enriched by it, may go scot free if no guards are placed upon transfers.

But I will not go into the detail of the New York system of corporations proposed to be incorporated in our Constitution, but must declare my opposition to it as unsuited to this country. There is no similarity in the positions and conditions of New York and California. In the former, corporations are the institutions of ages and have become an indivisible portion of its system of government. What has been incorporated into the constitution of that State is not to lay the basis of a system of corporations suited to a new country like ours, but to restrict and restrain what has existed for more than half a century. Do you suppose we should find anything of the kind in the New York Constitution, if her condition had been as ours is? Never, Sir. The object of the framers of that constitution was to correct and restrain a system that could not be eradicated with safety to the State.

In what respect does our position assimilate to that of New York that we should so closely adhere to her fundamental law in forming our Constitution? In none whatever. We are a new people, creating from chaos a government, left free as air to select what is good from all republican forms of government. Our country is like a blank sheet of paper, upon which we are required to write a system of fundamental laws. Let the rights of the people be guarded in every line we write, or they will apply the sponge to our work.

I come now to what I conceive to be the banking system, to be established by these sections of the committee's report. Sir, the committee speaks out in the boldest language when it places some restrictions upon banking; it is then the bank shall not do this, and the bank shall not do that; but when they wish to steal from the people the nucleus around which a monied oligarchy may be built up in the country, the subject is approached—let me say with all due respect to the committee, whose motives I in no wise impugn—in real petit larceny style; aye, with the cringing sycophancy of the beggar asking alms while filching your purse from your pocket.

The word *bank* never appears once, no not even *corporations;* that might alarm the people. Association is the magic word that is to remove every objection and do away with every scruple. Sir, it is a shallow device, and will deceive no one. It reminds me of the celebrated exchequer brought before Congress after John Tyler had vetoed the United States Bank Bill. Mr. [John] Sergeant, the Chairman of the Ways and Means, of the House of Representatives, in introducing the bill, announced with great form and ceremony that the word *bank* could not be found in it; that it was no bank, but simply an exchequer, for the convenience of the Government in managing its finances, and where the people might safely make their deposits; in other words, an association for the deposit of gold and silver. Sir, if that exchequer had become a law, we would now have, in full operation, a mammoth national bank, and if the power there granted is incorporated in our Constitution, in its present unrestricted state, we may look for a mammoth state exchequer, more dangerous to the liberties of the people than any foreign enemy that can approach our shores.

Bank notes are prohibited with great parade, but not a word is said against bank certificates of deposit, with which the country may be flooded, and will be, if this section is not stricken out.

Sir, no one familiar with the banking system as it existed in the United States from 1836 to 1840 can have forgotten how the country was flooded with post notes, corporation and individual tickets, and in many instances, certificates of deposit, precisely similar to those which these associations are authorized to issue.

It would be a curious spectacle to exhibit before this convention the various kinds of paper in circulation, as money, during that memorable period. I have seen collected, as a matter of curiosity and amusement, upwards of one hundred, and if I had them here, they would be the only argument required to nip this whole system in its bud. The devices to gull and deceive the people were so many and varied that none could be so blind as not to see that the slightest authority or countenance given in this Constitution to associations which can assume banking privileges of any kind, will, in times of high speculative excitement, lead to enormous abuses, alike destructive to the happiness and prosperity of the country.

The committee have not even attempted to restrict the power to issue certificates of deposit, thus in effect expressly sanctioning it. In this cunningly devised bill, this was no omission or oversight, for the whole scheme bears evidence on its face of having been got up carefully, emasculating the section in the New York Constitution, by striking out all that might alarm the members of this body.

It may be said that no danger can result from the passage of this section; that the restrictions upon banking are so great that it will be impossible to abuse the power granted. Believe it not. How do they expect to make money to put the expensive machinery into operation? How is the costly lot in the centre of the city—the fine, fireproof houses—fireproof vaults—fireproof safes, to be paid for? The president, cashier, teller, bookkeepers, messengers, &c., &c., to be supported simply upon the percentage charged upon the gold and silver deposit, for you will be gravely told that these associations will charge a percentage upon deposits and thus make money to sustain themselves. Nothing can be more fallacious. Banks, bankers and merchants, the world over, never charge for deposits; in fact, they seek them, and in many instances, if the amount is large, pay an interest upon them.

The great depository for California must be the mint, which will no doubt, next winter, be located at some commercial point, probably with branches in the mines. It is the true policy of the United States to coin every dollar of gold taken from the mines, and one of the first acts of Congress in legislating for this country will be the establishment of a mint. It is folly to create associations for the deposit of gold and silver in California; the chief, if not the only product of the country, is gold in its uncoined state; it is like asking for associations to receive wheat, corn and hogs in Ohio. The thousands and tens of thousands engaged in gold digging want no such associations. It will benefit those only who live by their wits, and not the hard-handed gold digger, who by his labor enriches the country. Let us guard against infringing on the rights of the people, by legalizing the association of capital to war upon labor. This is the only country on the globe where labor has the complete control of capital. Let it remain so, if we would be free, independent and prosperous. If there are to be banks in the country, let us have private bankers, who, if they abuse the confidence of the people, can be punished by the law, indicted, and put in the penitentiary. The safest banking we ever had in the United States was that of Stephen Girard. Who ever lost a dollar by depositing with him? While thousands were beggared by the bankruptcy of the United States Bank! Look at the great bankers of Europe, the Rothschilds, the Barings, the Browns, and others who control the finances of the world! Do they ask for the privilege of corporate powers, to receive on deposit gold and silver? But why say more? We certainly cannot retrograde on this subject. States may continue to tolerate the system of banking from necessity; it is so mixed with their systems of government, they cannot eradicate it without danger to the body politic; but no new country should, for a moment, entertain the proposition of incorporating it in her fundamental law—it would be folly and

> madness to do so. The plea of necessity will not avail. Look at Havana, with a commerce of millions annually, that never has had a bank or paper money. Look at New Orleans, the largest exporting city in the Union, where banks are prohibited in the State Constitution, and as the charters of those now in existence expire, the system will be eradicated forever. Look at the exchanges of the world carried on by private individuals, and can any man have the hardihood to say we want such associations in this country as this section of the bill tolerates? I hope not. Sir, I have seen our countrymen as wild on the subject of banking as they are now about our gold mines. I have seen the people going by thousands to get loans from the banks, as they are now rushing to our banks of gold. Misery, ruin, and destruction to the citizens, and prostration of the public credit followed the banking era of 1834, '35, '36 and '37. The private wealth and public prosperity which it was predicted would result from the system, like Dead Sea fruit, turned to ashes on the lips, while our banks of gold, if left unrestricted by improper legislation, will yield a rich reward to the laborer for his toil, and ensure to the country a permanent prosperity.[29]

Then there came up the question of boundary, which was elaborately discussed. There were great apprehensions in the convention, for upon our action on this question of boundary depended the admission of the State into the Union.

The question was whether to include within our boundaries the whole of the country acquired from Mexico, west of New Mexico and to the Oregon line, or whether the boundaries should be restricted somewhat to the population of the country at that time. The objection to the first proposition was that it included an empire within the boundaries of the State, including the whole of the Mormon settlement at Salt Lake, which was not represented in the convention, and it would be impossible for Congress to accept such a boundary. The question was finally settled by a compromise, which resulted in the adoption of the boundaries of the State as they appear in the Constitution.[30]

The question of taxation was one of equally grave importance, even greater in fact than the two preceding questions. It was impossible to avoid saying in the Constitution that the taxation should be equal; but the delegates from the settled portions of the State, who had great land grants and represented those who had vast grants of land from Spain and Mexico, would not listen to any proposition that would subject their real estate to taxation and the onus of supporting the State, while the great bulk of the population, the newcomers, had no real estate, in fact nothing that could be taxed, and nothing could be collected from them except a poll tax. While Mr. Gwin was clearly of opinion that the Constitution should contain a provision requiring that all taxation should be equal, he was satisfied in his own mind that unless some provision was made in the Constitution that would allay the fears of those representing the landed interests of the territory, they would withdraw in a body from the convention and break it up. Hence it was that a compromise was made by passing the provision on this subject which appears in the Constitution, giving constitutional power to the assessors of the counties and the boards of supervisors; and these being elected by the landholders themselves and those they could influence, this was a guarantee of protection against their being taxed oppressively. This is one great defect in the present State Constitution. Those who opposed the system of assessment acquiesced in it in order to secure the formation of the Constitution, but they did it with a full conviction that it could be used to protect the great landholders and assess the small landholders of the country.[31] Although this is the great defect in the Constitution, taken as a whole, it will bear comparison with the constitution of any other state in the Union. It is a remarkable piece of work, considering the materials at hand to work upon, with no books, no printing press to prepare the various schedules to be handed to the members for examination, little or no legislative experience of members, together with the unknown character of the country for which the Constitution was formed—yet in thirty-one working days this Constitution was formed.[32]

The convention met on the first of September. It had no quorum until the third, and it took the first eight days to settle the question as to who were members and for the convention to get steadily to work. Take out these eight days and the five Sundays, and there remained but thirty-one days from the time the convention met until it adjourned.

The convention settled one question that was before unknown in the history of the country, and that was that the inhabitants of this country, without any authority except that which emanated from themselves, had the right, in the absence of a regular form of government, to meet together in convention and adopt a state government; not only to adopt it, but to put it into immediate operation, as soon as the people sanctioned the Constitution. The question of the adoption of the Constitution was laid before the people on the seventh [thirteenth] of November.[33] At the same time, state officers, a state legislature, and members of Congress were elected.

* * *

The legislature assembled at San Jose on the fifteenth of December 1849, and after the organization of the two houses, they counted the votes, announced who was elected governor and lieutenant governor, and proceeded at once to ballot for two United States senators. General Frémont was elected on the first ballot, and Mr. Gwin was elected on the second.[34] Messrs. [Edward] Gilbert and [George H.] Wright had been elected members of Congress, and the delegation, consisting of two senators and two representatives, sailed from San Francisco on the first of June [January 1, 1850], en route for Washington City.[35]

The arrival of the delegation in New York created intense excitement in political circles. It was known before that a Constitution had been adopted by the people of California on the thirteenth of November, and as the mail steamers made the trip but once a month, the meeting of the legislature and its organization, the installation of the governor and lieutenant governor, the election of United States senators, and the handing over of the *de facto* government archives to the newly organized government, were all unknown until the steamer which conveyed the delegation arrived in New York.

The Senators and Representatives proceeded at once, on their arrival in Washington, to call on the President, the Vice President, the Speaker of the House of Representatives, the Chief Justice and Judges of the Supreme Court of the United States, and a large number of the most prominent members of the two houses of Congress, among them Calhoun, Clay, Webster, Benton, and Douglas. When the delegation called upon Mr. Calhoun, they were informed that he was in such a precarious state of health that he could not receive them; but he sent for Mr. Gwin subsequently, who promptly responded to the invitation. The meeting of these two gentlemen was solemn and impressive in the extreme. There were but few persons in the United States who had been more intimate with Mr. Calhoun than Mr. Gwin, from their meeting in Congress until Mr. Gwin went to California. At this meeting, the last between them, they differed as widely as the poles as to the policy that should be pursued by the Congress of the United States in the admission of California. To the mild reproach of Mr. Calhoun as to the part Mr. Gwin had taken in the adoption of the government in California, the response was given that of all men Mr. Calhoun should be the last to cast such a reproach, as it was through Mr. Gwin's intercourse with him that he was first impelled with a desire to go to California, and make it his home. Mr. Calhoun was then dying, and he soon after passed away. In words which proved to be prophetic, he depicted what would be the result of the admission of California as a state. He said it would destroy the equilibrium between the North and the South in the Senate, the only safeguard the South had against the numerical superiority of the North, and that the equilibrium once destroyed, the agitation of the slave question would become more intense and inevitably result in civil war and the destruction of the South. He had no hope of its success in such a struggle, and [believed that] with its destruction would be obliterated all protection of minorities against the despotic majority; in fact, that this government, although republican in name, would be the most despotic of any in the civilized world.

Mr. Calhoun never appeared in the Senate but once after this interview. It was on the occasion of the delivery by Mr. Webster of his great speech of the seventh of March 1850. The Senate chamber, as well as galleries, was crowded with an enormous audience. It was known only to a few that Mr. Calhoun was in his seat, and when Mr. Webster, in alluding to him, regretted the causes of his absence from his seat in the Senate, Mr. Calhoun rose up in the presence of that immense audience, as a man rising from the grave, for he looked like a corpse, and said in a hollow, deep-toned voice, "*I am here!*" which electrified the whole audience. Mr. Webster turned to him and said, "Thank God, that the Senator is able again to resume his seat in the Senate, and I pray to God he may long continue to adorn this chamber by his presence, and aid it by his counsels."

With the exception of Mr. Calhoun, the delegation was received by every one of the distinguished gentlemen upon whom they called, and received with great consideration, especially by the distinguished Senators above named, Messrs. Clay, Webster, Douglas, and Benton, and were assured of the prompt admission of the State into the Union; but it was noted by the delegation that there was a stern and determined opposition to the admission of the State from the Senators and representatives from the Southern states. Mr. Gwin had many friends among the members from that section, with whom he had served previously in Congress and [whom he] had met in private as well as public life; and while he was courteously received by them, [he] was promptly notified that they would resist the admission of California as a state, with all the means at their command. What was meant by this was speedily developed. Mr. Gwin had retired to New York, in order not to be considered a partisan in this great question, and while there received a message from Mr. Clay, asking his immediate return to Washington. This great American statesman had promptly informed the delegation from California, on the occasion of their visit to him, that he was in favor of the prompt admission of California as a state of the Union, and they could rely upon his utmost exertions to bring it about. When Mr. Gwin called on him in response to the message he had received, Mr. Clay stated that he had an important communication to make to him; that since he had met the delegation, he had been waited upon by a number of members of the lower house of Congress from the South, men of distinction in their region, and whose statements could be thoroughly relied upon, who had informed him that the members from that section, in sufficient numbers to prevent the passage of any bill, under the rules of the House, would unitedly oppose the admission of California as a state, and that it never should be admitted, unless in conjunction with the settlement of other questions of vital consequence to [the] South. Mr. Clay said further that it was the first time in his life that he was forced to believe that the Union of the States was in imminent jeopardy, and, upon mature and deliberate reflection, was satisfied it was his duty to change the position he had taken when first called on by the delegation, that the State should be promptly admitted into the Union, as an isolated question, and that he had determined to propose a compromise of all the questions on the subject of slavery then agitating the country. Mr. Gwin, rather to the surprise of Mr. Clay, promptly acquiesced in his views, and agreed with Mr. Clay that all these questions had better be settled at once, and that he would rather never occupy his seat in the Senate, if it was to be obtained by jeopardizing the existence of the Union.[36] Mr. Clay said that he should encounter great opposition for this change of policy, especially from Colonel Benton; that they had been violent enemies, and although connected by marriage, they had had no intercourse with each other for years, but this question of the admission of California had brought them together, and their intercourse had become very cordial and friendly. He said he considered it his duty first to notify Colonel Benton, after his interview with Mr. Gwin, of his changed purpose, and he accordingly called upon him at his residence. The interview was violent, and the former estrangement was renewed, and never ceased during their lives.

The great contest over the compromise measures, the subject introduced by Mr. Clay, is historical, and need not be detailed in this narrative. The President, General Taylor, as is well known, was violently opposed to the compromise measures. Mr. Gwin had again retired to the city of New York, while these measures were under discussion in Congress, and while there received a message from Mr. [William M.] Meredith, the Secretary of the Treasury, in which it was stated that the President desired an interview with Mr. Gwin. He immediately repaired to Washington, and called upon Mr. Meredith, who informed him why the President wished to see him. It was to this effect—that the Senators and Representatives from California should join in a communication to the two houses urging the immediate action of Congress upon the admission of California as a state disconnected with the other measures of the compromise. Mr. Meredith also stated that the other members of the delegation had agreed to this proposition, and Mr. Gwin's approbation and action in concert with his colleagues was all that was necessary to bring about prompt action on the subject, which would result in Mr. Gwin's taking his seat in the Senate within a week. The interview was a very exciting one. Mr. Gwin detailed the interview he had had with Mr. Clay, sometime previous, and his acquiescence in the views of Mr. Clay, from which he could not retire. His subsequent interview with the President on the same subject was a very unpleasant one; the President was very violent and determined, but Mr. Gwin remained firm to his purpose. Within a few days thereafter the President was attacked with the disease which soon terminated in his death, but for which event, Mr. Gwin has always believed, a civil war would have resulted at that time.

On the ninth of September, the bill for the admission of California became a law. On the eleventh of September, the Senators- and Representatives-elect from California presented themselves to the two houses, to be sworn in as members. Objections were made by the members who represented the ultra party of the South, followed by an animated discussion in each house. In the Senate it resulted in the admission of the Senators, with only twelve votes in the negative. These twelve Senators gave their reasons for their votes by a protest, which was filed. Mr. Jefferson Davis, then a senator from Mississippi, afterwards President of the Southern Confederacy, was the leader in the debate of the opposition to the admission of the Senators, ably supported by [Andrew P.] Butler of South Carolina, [James M.] Mason of Virginia, and [John McPherson] Berrien of Georgia. Mr. Clay of Kentucky and Mr. Douglas of Illinois were their opponents in the debate.[37]

* * *

Congress had been in session for more than nine months, the longest session which had ever occurred since the adoption of the Constitution, and had passed a resolution to adjourn on the thirtieth of September, making a continuous session of ten months. Less than three weeks remained of the session when the senators from California took their seats in the Senate, and it being near the close of the session it was very difficult to get legislation, except on questions that had been thoroughly examined in committees. But one of the senators from California was on the alert, and scarcely took his seat after he was sworn in, when he offered eighteen elaborately prepared bills. As a curiosity in legislation, a list of these bills, from the *Congressional Globe*, is here given:

I. A bill to provide for the appointment of a recorder of land titles in California.

II. A bill to provide for the appointment of a surveyor general in the State of California, and for the survey of the public lands.

III. A bill to provide for the erection of land offices in California, and for the appointment of registers and receivers.

IV. A bill to provide for the ascertainment of private land claims in California, and for the adjustment and settlement of the same.

V. A bill to grant donations of land to settlers in California before the cession of that country to the United States, and to allow preemption rights to subsequent and to all future settlers.

VI. A bill to regulate the working of the placers and gold mines in California, and to preserve order by granting temporary permits to actual operators to work the same in limited quantities.

VII. A bill to provide for extending the laws and judicial system of the United States to California.

VIII. A bill to refund to the State of California the amount of monies collected for duties on imported goods at San Francisco and the other ports, before the customhouse laws of the United States were extended to California.

IX. A bill to grant to the State of California certain quantities of public land for the purposes of education.

X. A bill to grant to the State of California six townships of land for a university.

XI. A bill to grant to the State of California four sections of land, to aid in constructing public buildings at the seat of government.

XII. A bill to grant to the State of California two townships of land, for establishing an asylum for the deaf and dumb, and for the blind and insane.

XIII. A bill to relinquish to the city of San Francisco all the grounds reserved for military or other purposes in the said city which are no longer wanted for such purposes.

XIV. A bill to grant to the State of California twelve salt springs, with a section of land round each.

XV. A bill to grant to the city of Monterey the old Government House in that city, and the ground upon which it stands.

XVI. A bill to provide for opening a road across the Sierra Nevada, on the line of the Rio de los Americanos and Carson's River and the pass at their head, as the commencement of opening a common travelling road between the present western settlements of the United States and the State of California.

XVII. A bill to grant to the State of California one million six hundred thousand acres of land for purposes of internal improvement, in addition to the half million acres granted for such purposes to each new state by a general law.

XVIII. A bill to preserve peace among the Indian tribes in California, by providing for the extinction of their territorial claims in the gold mining districts.[38]

He also offered a resolution establishing numerous post routes in California. As Mr. Frémont had drawn what was called the short term in the Senate, and Mr. Gwin the long term, it was an agreement between the Senators that Mr. Frémont should take the most prominent part in the legislation that should be secured during that session, as he was to become a candidate for re-election to the Senate during the next winter, and it was thought proper that he should have a fair opportunity for presenting himself favorably to his constituents.[39] Yet there were radical differences between the two Senators in regard to the legislation for the State. This was especially the case in regard to the question of Mexican and Spanish land grants. Mr. Frémont was the owner of one of the largest and [what was] supposed to be one of the most valuable of these grants [the Mariposa], estimated all the way from one hundred thousand to one hundred million dollars in value. It was not on account of his being a land claimant that he advocated a very liberal policy on the part of the Government in its legislation on the subject of these grants, but he was selected by the native and older portion of the inhabitants of California as the special representative of their landed interests in the Congress of the United States, while Mr. Gwin was looked upon as the representative of the newcomers, who had no land. Therefore, when Bill No. 4, above referred to, to provide for the ascertainment of the private land claims in California and for the adjudication and settlement of the same, was before the Senate, Mr. Gwin delegated Mr. [Thomas] Ewing, Senator from Ohio, who had been recently secretary of the interior, under President Taylor, a gentleman of eminent ability, to represent him in the discussion that arose upon this bill. The discussion was elaborate, and it was evident that the Senate sided with Mr. Gwin in his views, but no legislation occurred during that session.[40]

This discussion resulted in a very unpleasant scene between Senators Frémont and [Henry S.] Foote, of Mississippi. Colonel Benton, of Missouri, had taken a decided part in the discussion, and had spoken at great length in favor of the private land claimants, even suggesting that their claims ought to be confirmed outright without investigation. At a later period in the session, when other matters pertaining to California were under discussion, Mr. Foote, of Mississippi, referred to these remarks of Mr. Benton, and denounced them with great bitterness. There had been, earlier in this session of Congress, a violent altercation in the Senate between Messrs. Benton and Foote, which [had] resulted in Benton's advancing upon Foote, with the object of assaulting him, and Foote's retreating and drawing a pistol in self-defence. It was now the last night of the session, and to avoid another violent scene in the Senate between Messrs. Benton and Foote, immediately after Senator Foote took his seat, Senator Dickerson was given the floor, although Colonel Benton was eagerly seeking it, and a motion was made to go into executive session, and carried, which put a stop to the debate. While the galleries were being cleared, Colonel Benton was very violent in his language in regard to what Foote had said, in his private conversation with the Senators; and Mr. Frémont, the son-in-law of Colonel Benton, met Mr. Foote in the anteroom, between the Senate Chamber and [the] Vice President's room, and denounced his remarks as ungentlemanly and insulting to Colonel Benton as well as to himself. Foote struck him at once, and the blow was returned, when Senators [Willie Person] Mangum of North Carolina and [John Hopkins] Clarke of Rhode Island, men of powerful physique, who happened to be passing from the Vice President's room to the Senate Chamber at the moment this collision occurred, seized the belligerents—one Foote, and the other Frémont—and forcibly separated them. The result was a challenge from Frémont to Foote, but the matter was amicably arranged by the mutual friends of the parties.

As an illustration of what important legislation may result from accidental circumstances, it will be proper to refer here to what is known as the Swamp Land law. The Hon. R. W. Johnson, the sole representative of Arkansas in the lower house of Congress, succeeded in passing a bill through that body, giving to the State all the swamp and overflowed land within its borders, subject to certain requirements of reclamation. This bill was pending in the Senate when California was admitted as a state to the Union. By order of the Senate, near the close of the session, three entire days were set apart for the consideration of California bills. During one of these three days Mr. Johnson came to Mr. Gwin, under whose charge one of these bills was then being acted upon in the Senate, and represented to him of what vast importance to his state of Arkansas was the passage of this swamp and overflowed land bill, and asked the favor of having this bill presented during one of these three days by Mr. Gwin's giving way to Mr. [William K.] Sebastian, the Senator from Arkansas. This proposition of Mr. Johnson led to a discussion on the subject of swamp and overflowed lands in general throughout the Union, and Mr. Gwin agreed to the proposition of Mr. Johnson, provided Mr. Sebastian would offer an amendment to the Arkansas bill, to make it a general instead of a special act, applicable to all the states and territories. Mr. Sebastian occupied the chair immediately behind Mr. Gwin and was to be watchful of the proper occasion to ask for the privilege of putting his bill before the Senate, when he was to give notice to Mr. Gwin of his desire that he should give way to him. This notice was given, and the request was asked and granted, and the Arkansas bill was taken up, the amendment proposed and adopted, and the bill passed, occupying not five minutes of the Senate. The bill went to the House, was adopted there, and became a law. Thus the public domain, to the amount of tens of millions of acres of land, was transferred from the United States to the various states and territories, and there were not half a dozen members of the two houses aware of the fact until the bill became a law. There was one member of the Senate who was especially surprised and astonished, Mr. [Joseph R.] Underwood of Kentucky. He was opposed to the granting of lands from the public domain for any purpose, opposed to preemption laws and homestead laws, and he had been closely watching this Arkansas bill for sometime in the Senate, and having no suspicion that the bill could be called up during the three days set apart for California business, he was not on his guard, and he never knew the bill had been acted on by the Senate until it had been signed by the President and passed into law.

* * *

At the second session of the thirty-first Congress, Colonel Frémont did not take his seat during the entire session. Mr. Gwin alone represented his state in the Senate, and he came to the front as such sole representative and offered numerous bills to promote the interests of his state and put it on an equality with the other states of the Union. The first bill he desired the Senate to act upon was that in regard to California land titles.[41] On the ninth of December, he moved to make that subject a special order in the Senate, at that early day, so as to give it precedence over other business, as a subject of the greatest consequence, requiring speedy legislation, as there was constant danger of collision between the owners of Mexican grants and settlers on what the latter deemed to be public lands. The motion did not then prevail. On the next day, the tenth of December, he introduced a resolution instructing the Judicial Committee to report a bill increasing the salary of the district judges in California. He stated that it was notorious that gentlemen of the highest legal ability could not be induced to accept those offices in California at the rate of compensation allowed. The salaries were raised during that session.

On the eighteenth of December, Mr. Gwin introduced a resolution asking the Military Committee to report a bill giving extra pay to the officers of the Army. As Mr. Gwin's remarks on offering the resolution are interesting, on account of the references made to various officers of the army, especially in relation to the lady of Major [Edward R. S.] Canby—who afterwards became a distinguished officer in the U. S. Army in the Civil War, and was murdered by the Modoc Indians—they are given here:

> Mr. President, in offering this resolution, I wish to call the attention of the Senate to the meritorious claims of the officers and men who serve in California and Oregon, whom it is intended to relieve. Their pay was utterly insufficient to meet their expenses. The officers and their families had to perform the most menial services, owing to the high wages of labor. General [Bennet] Riley could not employ a cook for his family, the wages charged being greater than his pay. The amiable and estimable lady of his adjutant general (Major Canby) supported his family by copying papers for the convention. At a dining party given by one of his aides (Captain Westcott) at which I was present, his wife and her sister waited upon the guests. Brevet Colonel Casey, in command of a regiment, entertained me at his quarters on board of a miserable old ship at the wharf in Benicia, the dinner and supper having been cooked by his beautiful and accomplished lady and placed before us to help ourselves. I could name numerous other instances of peculiar hardship, but I hope I have said enough to induce early and prompt action on the subject by the Senate.[42]

The resolution was agreed to.

On the twenty-third of December, Mr. Gwin again brought forward his proposition to proceed to the consideration of private land claims in California, and on this occasion succeeded in getting it before the Senate, making the following remarks:

> Mr. President, in accordance with the notice I gave some days ago, I now propose to take up Senate Bill No. 346, "To ascertain and settle the private land claims in California." The subject is one of great importance to my constituents, and to the whole country, and cannot be too speedily acted on. It is well known that there is much excitement and exasperation of feeling on the subject of land claims in California, which can only be allayed by the passage of a bill through Congress for the settlement of these claims. As an evidence of the state of feeling on the subject, I have just received a note from a gentleman, a resident of California, now in this city, which I will read to the Senate. I know nothing of the facts stated, never having heard of them till I received the note:
>
> "It appears by my last advices from Sacramento that the parties there claiming under Captain Sutter have not only succeeded in obtaining authority from the courts to eject a settler from the house which his own hands have built upon what he believes to be public domain, but have also got judgment for a considerable amount as back rent and

damages, for the alleged unlawful withholding of the premises against the rightful owner, as assignee of Sutter. But, in addition to this, the parties who became bail for the settler, when he appealed from the City Recorder's Court to the County Court, are now required to pay the full amount of said bail (say fifteen hundred dollars) as indemnity to the Sutter claimant, for alleged depreciation in the value of the property occurring during the pendency of the trial."

I take no part in the unfortunate collisions that have occurred in California. They are to be deplored by every good citizen. I have brought this note before the Senate, not to take sides in this controversy, but to show the necessity of immediate action on the bill I propose to take up for consideration.[43]

After various amendments to the bill, Mr. Benton proposed to postpone its consideration and make it a special order. It came before the Senate again on the twenty-sixth of December. Mr. Benton proposed a further postponement for the following reasons; he said:

The bill was laid over on my motion. I have been looking into it, and I believe when the time comes that we can have a full Senate—and the importance of the bill requires that we should have a full Senate—I shall be able to show that the effect of the bill will be to violate our treaty with Mexico, to violate the law of nations, and to despoil the inhabitants of California of their lands. The bill is open to objection, and I wish the Senate to be full. We know that there is but about half the Senate present during the holidays, and that half have but little disposition to engage in heavy business. It is not to be expected that we shall have a full Senate until after New Years' Day. I move therefore that the bill may be laid over until this day week, and made the special order for the day.

To this Mr. Gwin replied as follows:

This bill is of so much importance to the people of California, that I must ask for the yeas and nays on that question. I am not at all afraid that the interests of any persons in California will be injured by the passage of this bill. I am willing to meet the responsibility of pressing its passage in its present form, notwithstanding the remarks made by the Senator from Missouri.

After further debate Mr. Gwin agreed to the postponement.

On the second of January 1851, Mr. Gwin introduced a bill to provide for the survey of the public lands in California, the granting of donation privileges therein, and for other purposes, which was read the first and second time by its title and referred to the Committee on Public Lands.

(To be continued)

NOTES

1. William McKendree Gwin was the son of James Gwin, a Methodist pioneer preacher associated with the work of Bishops Francis Asbury and William McKendree. He was named for Bishop McKendree. James Gwin, the father, traced his ancestry from "one David, a ruler of the highlands of Wales, and Sir Rowland Gwynn," a supporter of William of Orange. From infancy he lived in Monroe County, Virginia, and as a youth in North Carolina, from where he moved into the territory of Tennessee, passing through the wilderness to the Cumberland settlements with about twenty families in the fall of 1791. John B. McFerrin, *History of Methodism in Tennessee from the Year 1783 to the Year 1804* (Nashville, 1872), p. 443; Hallie Mae McPherson, "William McKendree Gwin, Expansionist" (unpublished MS in University of California Library, 1931), p. 2.

2. Though James Gwin was an itinerant Methodist preacher, he was economically well off, according to Bishop H. M. DuBose, of Nashville, Tennessee, who, in an article in the Memphis *Commercial Appeal* for February 1, 1931, states that Gwin acquired a large holding of land in Sumner County, possibly a government grant, and that he increased his land values and became wealthy. The father's economic position made possible William's education in the best schools, lower and higher, of the time. John F. H. Claiborne, *Mississippi as a Province, Territory and State* (Jackson, 1880), I, 428. According to Claiborne, Gwin's legal training was under lawyers of that region, a number of whom are listed as leaders in the legal profession, and he gives as a reason for Gwin's failure to practice the law his distrust of his ability to become an effective speaker.

3. Gwin received his medical training at Transylvania College where the records show he matriculated in the class of 1825-26. His name does not appear on the roll of 1826-27 but he returned in 1827 and graduated on March 5, 1828. McPherson, *op. cit.*, footnote 4. His thesis of twenty-three closely written pages is preserved in the college library at Lexington. Its subject is "Syphylis." John Donald Wade, "William McKendree Gwin," *Dictionary of American Biography*, VIII, 64. After a brief period of practicing medicine in his native state, Gwin followed the wave of migration towards the Yazoo-Mississippi delta. He located for a brief period in Vicksburg but later moved to Clinton, where he carried on a successful practice until 1833. Claiborne, *op. cit.*, I, 428.

4. Claiborne, *op. cit.*, I, 429-30, and McPherson, *op. cit.*, pp. 4-14, give extended information concerning Gwin's appointment to and services as marshal of Mississippi and his relations with Andrew Jackson. Gwin resigned his office with the election of President Harrison, since he had been too decided a party man to seek to continue office under another party's administration. Claiborne, *op. cit.*, I, 432.

5. In 1840 and 1841 Gwin was strongly urged to become a candidate for governor and also for United States senator but, due to political factionalism, he did not secure the nomination for either office. He seemed to have been sincerely pleased at his lack of success at this particular time. However, he entered with zeal into the campaign in which he was elected, in 1841, to the House of Representatives. That he was an active member of the House is evidenced by the *Congressional Record* and by the press of his state. He was an ardent advocate of measures for the benefit of his section but he constantly emphasized the interest of the nation as a whole and showed himself at this time to be, like his political idol, Jackson, a strong nationalist.

6. He gave as a reason for declining renomination in 1843 his desire to work for harmony in his party. It appears, however, that financial matters were troubling him somewhat and, also, that he had aspirations for the senatorship. Letters of March 19, 1842, to Claiborne foreshadow these things.

7. Since Gwin is concerned in these memoirs almost solely with his political activity in California, he passes over with a word his activities between 1843 and 1846. Claiborne, *op. cit.*, I, 437-39, gives a sketchy reference to Gwin in politics during those years. McPherson, *op. cit.*, pp. 35-74, records his continuous political activity in the same period and, in pages 75-81, presents evidence that for some years prior to 1846 Gwin was engaged in various business enterprises and especially in transactions in land. There were times when his income was between thirty and forty thousand dollars per year.

8. See Justin Harvey Smith, *The War with Mexico* (New York, 1919), I, 84-86.

9. His connection with this work continued until March 31, 1849. He had laid the foundation for the building and was supervising its construction when he tendered his resignation because of the change in administration and because, as he states, he desired to emigrate to California.

10. The manuscript names the steamer as the *California*, obviously an error.

11. See Lewis B. Lesley, "The International Boundary Survey," in this QUARTERLY, IX (March 1930), 3-15.

12. *Loc. cit.*

13. *Loc. cit.*

14. See Milton H. Shutes, " 'Fighting Joe' Hooker," in this QUARTERLY, XVI (December 1937), 304-20.

15. See Douglas S. Watson, "The San Francisco McAllisters," in this QUARTERLY, XI (June 1932), 124-28.

16. *Ibid.*, pp. 124-25.

17. See Joseph Ellison, "The Struggle for Civil Government in California," Chapters III and IV, in this QUARTERLY, XI (June 1931), 129-64.

18. Confirmatory information may be found in Hubert Howe Bancroft, *History of California* (San Francisco, 1886-90), VI, 278-79; McPherson, *op. cit.*, pp. 98-99; and Peter H. Burnett, "Recollections of the Past" (original MS in Bancroft Library, University of California), I, 92-94.

19. This public appearance and service of Gwin proved a fortuitous circumstance which brought him to public notice and gave him popular prestige.

20. The manuscript reads "ten millions," obviously an error. Mexico was paid fifteen million dollars for New Mexico and Upper California.

21. See Joseph Ellison, *op. cit.*, in this QUARTERLY, X (March, June, and September 1931), 3-26, 129-64, and 220-44.

22. See Zoë Green Radcliffe, "Robert Baylor Semple, Pioneer," in this QUARTERLY, VI (June 1927), 130-58.

23. See Milton H. Shutes, "Henry Wager Halleck, Lincoln's Chief-of-Staff," in this QUARTERLY, XVI (September 1937), 195-208.

24. For the proceedings of this convention see John Ross Browne, *Report of the Debates in the Convention of California on the Formation of the State Constitution in September and October 1849*, Washington, 1850.

25. A copy of the Declaration of Rights from the Constitution of California of 1849 was included in this QUARTERLY, X (June 1931), between pp. 158-59, and was also issued by the Society as a separate publication.

26. Until recent years, serious works as well as popular essays charged Gwin with being pro-slavery and a Southerner with various plans for aiding that institution. It is recognized now that authoritative evidence fails to support the charge, and the statement here made in his "Memoirs" is being accepted as true.

27. Cf. Browne, *op. cit.*, p. 60.

28. In fact, Gwin himself was a party to one in 1853 with Joseph W. McCorkle, whose membership in the House of Representatives expired March 3, 1853. A quarrel over matters political and personal culminated in a duel near the San Francisco boundary line in what is now San Mateo County on the morning of June 1, 1853. They fought with rifles at thirty paces. After three ineffectual shots, their seconds managed to arrange a mutually satisfactory settlement. James O'Meara, *Broderick and Gwin* (San Francisco, 1881), pp. 38-40.

29. For additional information on this debate, in which Gwin took a prominent part, and on the final outcome of the discussion, see Browne, *op. cit.*, pp. 108-18, 120-35, 165-66; Cardinal Goodwin, *The Establishment of State Government in California* (New York, 1914), pp. 108-32; and Bancroft, *op. cit.*, VI, 297.

30. This was the most extensively debated question in the convention. Gwin was later charged with trying to make such a boundary as would eventually give part of the region over to slavery. Goodwin's study, *op. cit.*, pp. 133-64, makes it clear that the slavery

question had no connection with the boundary issue. Other useful views on the question may be found in McPherson, *op. cit.*, pp. 109-14; Bancroft, *op. cit.*, VI, 290-96.

31. Cf. McPherson, *op. cit.*, pp. 114-15, and Goodwin, *op. cit.*, pp. 209-12.

32. Gwin often speaks highly of his own importance, but he does not here or elsewhere indicate his important place in the convention. However, there can be little doubt that he was the best politically informed man there and that his constructive work was not surpassed by any other.

33. The number "13" appears in the margin of the manuscript in pencil and is the correct date.

34. Frémont was elected because of pathfinder fame and the belief that he could properly represent the older settlers, and Gwin, because of his Southern influence and his prominence in the constitutional convention.

35. The date given in the manuscript is an error. All four sailed January 1, 1850.

36. Many charges have been made from time to time contrary to what Gwin here states about himself. Let it be said that the sincerity of Gwin's words here is supported by the record. There is no evidence that Gwin took any part in encouraging the division of California by the extension of the Missouri Compromise line.

37. At the time the credentials of Gwin were presented by Douglas and those of Frémont by Robert W. Barnwell, of South Carolina, Jefferson Davis raised the question of constitutionality as to their election, and moved to refer their credentials to the Committee on the Judiciary with instructions to report on the law and the facts. The motion was lost, and the oath of office was administered to the California Senators. Davis was not opposing their admission, but he had constitutional doubts which he wanted resolved. *Congressional Globe,* 31st Cong., 1st sess., pp. 1791-92.

38. These bills were presented by Senator John C. Frémont. Gwin appears to be sarcastically facetious here at the expense of his senatorial colleague. *Ibid.*, p. 1793.

39. Gwin here seems unnecessarily modest with reference to his services in the few days he and Frémont served in this session, as he took the floor a number of times and introduced several measures of interest to California. See *ibid.*, pp. 1815 and 1824. Also, even before the admission of the State he had presented to William M. Meredith, Secretary of the Treasury, legislative suggestions for California. These included a survey of the port of San Francisco, the location of lighthouses at all the harbors, the deepening of the Sacramento and San Joaquin rivers, the erection of hospitals at San Francisco, Stockton, and several other places. See *House Ex. Docs.*, No. 47, 31st Cong., 1st sess., VIII (Ser. 577).

40. For further material on these matters, see *Congressional Globe,* 31st Cong., 1st sess., pp. 1793, 1810, 2046, and 2047.

41. For additional details about Gwin and this bill, see *ibid.*, 2nd sess., pp. 21, 284, 349, and 451; *ibid.*, Appendix, pp. 53-61, 125-35.

42. Identical with *ibid.*, 2d sess., pp. 77-78, except for a few items of punctuation. Later, Gwin discusses the passage of an amendment to this bill increasing the compensation of army officers which provided a similar increase for naval officers.

43. Cf. *ibid.*, p. 116.

ANDRE CHAVANNE

From a photograph in the possession of Mr. D. Fricot

The Burning of the *Golden Gate* in July 1862

The Impressions of a Survivor

By André Chavanne

Translated from the French and with an Introduction

By Desiré Fricot

INTRODUCTION

TO MANY, the words, "The Burning of the *Golden Gate*," bring to mind immediately the vivid, colored lithograph of that title, issued by Currier & Ives—the joy (or envy) of many a print collector—which depicts the burning of the Pacific Mail Steamship Company's palatial vessel at sea, off the coast of Mexico, on July 27, 1862.

The *Golden Gate* was built in New York on the order of Howland & Aspinwall, by William H. Webb, and was launched on January 21, 1850. She was a side-wheel steamer of 2200 tons, was 270 feet long, had a breadth of beam of 40 feet, and depth of hold of 31 feet. Her draught of water was about 16 feet. She came around Cape Horn in 1851 and, in December of that year, entered the service of the Pacific Mail Steamship Company on her first trip from San Francisco to Panama, carrying the United States Mail.

She was one of the finest vessels on the run between Panama and San Francisco and soon, because of her appointments and speed, became a favorite with the traveling public. Her cabin accommodations were designed for three hundred passengers but, including sofas and steerage, she was advertised as capable of carrying eight hundred persons comfortably. She also carried a large quantity of freight.

The terrible catastrophe pictured in the famous Currier & Ives lithograph occurred about fifteen miles north of Manzanillo, off the lower west coast of Mexico. The steamers from San Francisco made a practice of calling at Manzanillo to ship treasure from the mines near Colima. It is about three hundred miles north of Acapulco and about fifteen hundred miles south of San Francisco.

No less vivid and colorful than the lithograph, though painted in words, is the picture of the burning of the *Golden Gate* left us by André Chavanne, a survivor of the disaster.

André Chavanne was born in 1818 at Amplepuis, Department of Rhône, France. He, his brother Louis, and my father, Jules Fricot, were friends in France. During the great depression that followed the Revolution of 1848 in France, the three decided to go to California. They came around the Horn in a 300-ton sailing ship called the *Medicis*, and landed at the foot of Montgomery Street in San Francisco in 1851. From San Francisco they went to

Rich Bar on the Yuba River, then to Grass Valley on hearing of the discovery of gold-bearing quartz veins at that place. There the Chavanne brothers and my father (who was generally known in Grass Valley as "The Emperor") erected, in Boston Ravine, a stamp mill which became known as the "French Mill." This mill was operated as a "custom" mill, that is, it crushed rock for any prospector who had ore to grind. Chavanne and his brother soon left the French Mill, severing partnership with my father, who then operated the French Mill until 1864 or 1865 when he bought, from a Frenchman named Lamarque, the Eureka Mine which proved to be the beginning of the Idaho Maryland chute of ore. After severing partnership with my father, André Chavanne worked a mine of his own, the New York Hill.

In 1856, the Mount Hope Company took over the properties of the Rocky-Bar Mining Company on Massachusetts Hill, near Grass Valley, and Michael Brennan came out from New York to be superintendent. Brennan was not successful as a mine operator and trouble soon developed. To carry on his operations, Brennan borrowed large sums of money from André Chavanne and gave a mortgage on the Massachusetts Hill property. To protect his interests, Chavanne was forced to foreclose under the mortgage and came into possession in December 1857. The Mount Hope Company brought suit and litigation dragged along until July 1863, when Chavanne's cause prevailed.

Hearing that his mother, to whom he was very devoted, was ill, André Chavanne left California to visit her on July 21, 1862, aboard the *Golden Gate*.

He wrote about the burning of the ship at sea, and of his experiences, very soon after they occurred. I have known the manuscript ever since I can remember and have read it so many times that I almost know it by heart. He gave it to me some years before he died. When my house burned in 1917 the manuscript was destroyed. Sometime before, fortunately, I had translated it into English and that translation was among the things that were saved.

André Chavanne came back to California in 1876 and for some years mined in Sheep Ranch, Calaveras County. His mine was the extension of the Sheep Ranch Mine. In the early eighties he sold his property to Haggin, Tevis and Hearst, the owners of the Sheep Ranch. From 1893 until his death in 1897, Chavanne and I prospected together the Independence Claim, on the extension of the Idaho-Maryland Mine. After Chavanne died, finding the undertaking too expensive for one man, I gave it up.

CHAVANNE'S NARRATIVE

On July 21, 1862, I left San Francisco, on board the magnificent steamer *Golden Gate*,[1] bound for Panama. The trip was a happy and pleasant one up to Sunday evening, July 27. During that day, the sea was smooth, the heat excessive. All the passengers were very lightly clad, the ladies elegantly dressed. Since morning, we had been sailing close to shore so as to view the picturesquely shaped rocks and the green grass that capped the hilltops. We were about fifteen miles north of Manzanillo, near Colima, on the southwest coast of Mexico. We were to call at this port and remain there for a few hours.

At half past four in the afternoon, all the first cabin passengers were seated in the main saloon and dinner was just being served, when a child rushed in and threw itself into the arms of its mother, uttering cries of fright. Very soon other passengers came running in from every direction, crying: "Fire!"

Captain Hudson[2] left the table and rushed up on deck.

There was a moment of stupor and silence; but, in a few seconds, the confusion and terror were at their height. Passengers rushed in every direction like maniacs, mad men, without aim or ideas. The women and children added further to the disorder by their cries and fright.

During the first moments of panic, several families, in their haste and bewilderment, unfortunately sought refuge in their staterooms, and once there, paralyzed by fear, or hemmed in and surrounded by flames, were burned alive.

A thick column of smoke, and almost simultaneously, a curtain of flames spread with lightning-like rapidity across the steamer amidships, cutting the vessel in two, so to speak, imprisoning all those who were astern and preventing them from reaching the bow.

Several passengers, including myself, had remained seated up to this time. We all rose together, upon seeing the flames making rapid progress; all hope vanishing, and danger rapidly increasing with every second.

By a chance worthy of note, all those who had kept quiet and preserved the greatest calm in the midst of the prevailing confusion, were saved except one: Dr. Bodinier.[3]

As I left the table, having taken no food during the day, I drank a glass of champagne that stood before me, and went toward my stateroom with Abel Guy,[4] my traveling companion.

Why did we thus rush towards our stateroom, which was very close to the point where the fire had started? It would be hard to tell. It was an irrational move, since we had no idea of being able to save anything.

In the midst of the general fright and rush, I saw some distracted passengers opening their trunks in haste, impatiently taking out worthless objects; then closing them with care, putting the keys back into their pockets, and making sure they were securely locked.

Others, on the other hand, hastened to unfasten their belts containing gold, flinging them about the deck, others again were scattering handfuls of gold coin. In a few minutes, the ship was littered with wealth no one ever thought of picking up.

We had no more time to lose in order to find means of saving ourselves. We were surrounded by women in tears who asked us whether we were in any danger! The flames and smoke were beginning to stifle us. Just as we were trying to bolster them up and give them courage, a number of officers, as frightened as they were, came by and were followed by a few groups that soon were out of sight in the smoke. At that time, the first impressions of surprise and fear had left me, and I regained my presence of mind. With Guy, I went toward the stern, so as to get away from the flames and smoke and devise some means of saving ourselves. There was nothing about us we could use to float upon. I anxiously looked all around.

The saloon we had just left contained tables and other light furniture; it was a prey to the flames. I thought of the life preservers stored in the boats, so climbing at once up one of the outside stanchions, I reached the upper deck. I thought and acted so quickly that I lost my companion at that time. Just as I rushed upon the life belts scattered all over the deck, I saw a boat sailors were about to lower. I leaped into it and found myself alone and the first one therein. My sudden invasion and, perhaps, also my firm and resolute attitude were the reasons why none of the sailors, who were pitilessly driving back all those who made for that boat, ever remonstrated with me or threatened me. A few seconds longer, I would be saved! But, as soon as I was reassured as to my fate, I thought of my friend whom I had left ignorant of my intentions. He had remained astern and was most likely waiting for me. I also saw women and children pitifully begging to be allowed into that boat, too small to accommodate them all. I made up my mind and jumped out, as quickly as I had jumped in. When I got back on deck, I threw some chairs into the water, after having cut the ropes that bound them together. I also threw life belts overboard, then I dragged some towards the spot where I had left my companion. As I was about to slide down to the exterior gallery, I found myself close to a passenger, Mr. B—— who, seated on the railing, was very busy putting on his boots and, to that end, making useless efforts which would have been extremely funny under any other circumstances. Impeded in his movements by a life preserver thrown over his shoulder, he appeared to pay no attention to anything taking place around him. Calling him by name, but without stopping, I advised him to save himself; he gave me a blank look, but no reply. How he ever managed to save himself, he never knew, and when, later on, I asked him what was his idea in trying so hard to pull on his boots, he remembered nothing about it. I was told also he had helped a lady into one of the boats, never thinking of getting into it himself.

Time was pressing. Climbing down where I had climbed up, I looked about me—my friend was gone! I found myself in the midst of passengers, among whom were women with haggard, despairing faces, crying pitifully. I must confess that I then bitterly regretted ever having left the boat in which I had sought refuge.

The fire had spread to every part of the ship from the engine room aft. The flames were driven back upon us by the speed of the vessel and by a strong breeze blowing from shore. All avenues of escape were cut off; no longer was it possible to reach the top deck, the flames were sweeping over it, extending twelve or fifteen feet beyond the stern; they whirled over my head. The boats were gone, and in a few minutes the passengers about me, dazed, hemmed in on all sides and driven away by the conflagration, were huddling together and hanging to the sides of the steamer; then, one after another, they were forced to jump into the water. The strong, the weak, those with or without courage—all, all jumped into the abyss!

I could see the water covered with unfortunates shouting for help and uttering cries of distress. An awful sight!

Soon, I was almost alone on that part of the boat.

The swirling flames were over me and all around me; I could hardly breathe, the smoke hurt my eyes, the heat was becoming intolerable, the fire was already reaching me. I pulled my broad brimmed hat over my eyes to protect them. Still I hesitated! I could not make up my mind to add another victim to those I could see struggling before me.

The majority would disappear in the wake of the ship. A few would come up to the surface, half dead and incapable of floating any longer. But the time for hesitation had passed! I also was going to jump overboard. At that supreme moment, I saw ropes, that had been used to lower the boats, dangling a short distance from me. Clinging to the side of the vessel, at the risk of falling into the water, I leaped upon one of them with a precision and an agility of which I would have been quite incapable at any other time. I hoped to be able to hang there for a while, and in this manner, get closer to the shore, toward which the ship had been rapidly steaming since the beginning of the fire.

But, the smoke, and flames, bits of canvas and other burning debris, driven by the wind, were falling upon me and soon forced me to slide down closer to the water. I let myself go reluctantly, but without fear; I had all my senses and was convinced my time had not come yet. Strange presentiment!

I was exposed for a few seconds to a shower of burning tar and was compelled to get into the water.

Endeavoring to take advantage of anything that would postpone my abandoning the vessel, I hoped I could be towed by tying around my body the rope to which I was hanging. I had already begun to carry out that idea, but had barely touched the water when its resistance, so much the greater that the ship was going faster, snatched the rope violently out of my hands, spinning me around several times.

I found myself in the water, quite dizzy, but unhurt, not even seriously bruised. I shuddered at the thought that had I tied the rope around my body, my back would have been instantly broken.

During the short time I remained hanging on the rope, I saw about a hundred and fifty people, including Captains Hudson and Pearson,[5] grouped upon the bow, straddling the bowsprit, and a few hanging to chains. The coal bunker ports, close to the water line, had been opened by the stokers and engineers, who were hemmed in by the flames and were endeavoring to escape through those dangerous openings.

The fire, driven back by the breeze from shore and the speed of the ship, had not yet reached the bow, where many had sought refuge, but the space was getting narrower and some, becoming frightened or overtaken by the fire, were jumping overboard. I could see almost every one of them passing under the wheels of the steamer and, farther along, coming to the surface mutilated or dead. Very few escaped that fate.

Out of the eight or ten boats that the ship carried, four boats astern only had been launched, or rather, thrown into the sea.

Of these four, two capsized upon touching the water, dropping their occupants out into the waves. They were righted, however, and were filled with as many people as they could hold. None of the forward boats, that could easily have held those who perished, was ever launched at all.

It was difficult, almost impossible, to float them without their coming under the paddle wheels and being smashed by them, causing damage to the wheels themselves that might have resulted in slackening the speed or causing the steamer to stop altogether. It is undoubtedly for that reason that the Captain did not attempt to launch them. Still, their debris might have helped save a few of the victims.

As soon as I was clear of the ship and had recovered from the shock I had experienced, I proceeded to fasten around me the life belt I had on my shoulders and used it to float more easily. Then, I looked around and was frightened to see that I was surrounded by a hundred or more people.

To describe that sight, and the death scenes that were being enacted, is impossible: It was a mixture of confused, desperate cries, prayers, supplications, imprecations and unspeakable blasphemies. Frantic and crazed men and women, frightful to behold and to hear, were struggling in every direction, grappling with one another, turning over one another, drowning one another in ferocious embraces.

I understood I was lost, if I remained within reach of my poor fellow companions.

Then, all my attention, all my strength, and an egotistical prudence were employed in avoiding these people and trying to get away from them.

For an hour or so, I swam here and there with no other aim than to isolate myself. I succeeded, but I had lost precious time, and instead of getting nearer shore, I noticed that I had gone materially away from it.

After that first hour, the cries had very much diminished, and I could see but very few survivors. Night was coming fast, and I feared some invisible hand would seize me in the dark, and that I would go through the tortures of the cruel deaths I had just witnessed.

While I was swimming, trying to avoid people, I had come across another life preserver. I succeeded in securing it and was, from then on, able to float more easily and take some rest, of which I was in great need, after the emotions and various experiences I had just gone through.

As soon as I felt able to float without exerting myself, my confidence became very great. I lay on my back, and in that position, tied my hat with my handkerchief, which also protected my ears. Then, full of hope, I proceeded towards shore with all my might; I kept looking about me with the greatest attention, hoping that I might soon reach land or be picked up by some boat. One passed a short distance from me; I raised my arms and waved my handkerchief, but either I was not seen, or else the boat was crowded—it passed on and went away. The blazing ship seemed to have reached shore about four miles distant. The glare of the fire reached me.

Night was approaching. I could but faintly see the coast. While thus anxiously watching the boats that were going away from me and vanishing in the darkness, I could hear the voices of the drowning, now few in number, dying out with the day. All except one, however—it was that of a woman. That unfortunate creature, who had either life preservers or was clinging to some piece of wreckage, remained alive about four hours. During all that time, which seemed to me ages, she kept uttering horrible, piercing shrieks, interrupted only when she was submerged by some wave. It is useless to try to describe the anguish of such a horrible death. I was filled with awe and a sense of horror that gave me nervous chills. I had to remember my own danger to bring back my strength and my courage.

Night had come; land was invisible. Thick, black clouds were beginning to cover the sky, the wind was coming up, the sea was getting rough. I could still hear that horrible death wail! An intermittent, torrential rain, accompanied by lightning, added fresh uncertainty and more gloom to the horror of my position.

The waves heaved and, driven by the wind, submersed me continuously—I hardly had time to breathe whenever I was brought back to the surface. Soon, no more cries were to be heard. Absolute silence prevailed. If there were any more survivors, they were as silent as I.

"My Lord!" I muttered, "that unfortunate woman well deserves Heaven!"

Once in a while, I could still see the ship, or rather the glow of the fire, sinister beacon that gave me the direction of land toward which I was swimming with all my might, but its distance away appeared to me immense. The wind was blowing violently, the sea was rough, lightning flashes followed one another, almost without interruption.

Many times I thought I was lost. I was submerged and rolled about by the waves; I was beginning to have the most gloomy apprehensions as to my fate, unless the wind ceased blowing very soon.

For some time, the glow of the fire had ceased to be visible; I had no way of telling where the land lay. I was terribly dismayed at finding myself powerless, doomed to inaction during the whole night for fear of swimming away from shore.

For quite a while, I fell prey to sad thoughts and discouragement; feeling there was no possible chance of being saved. After a few hours of growing anxiety, however, I regained a little courage, and having been able to float up to this time, I thought I should not give up all hope.

It was impossible to reach shore, since it could not be seen, so the only thing to do was to make up my mind to float until daylight.

I called to my assistance all my presence of mind and perseverance, fighting with the waves for the possession of my life preservers, breathing only when brought up to the surface.

I had long been fighting the waves for my life when, by the flashes of lightning, I fancied I saw the shore. At once, filled with a rapture easy to understand, I swam in the direction where I expected to find land.

I soon reached a point close enough to hear a formidable and continuous roar, very similar to that of thunder. Drawing nearer, I found myself facing perpendicular rocks, rising forty feet above the water. The waves were breaking against them and were dashed back as foam, which looked like a shower of fire, whenever a flash of lightning dispelled the deep darkness surrounding me. I stopped disconsolate, fully realizing that any attempt to draw nearer would result in my being dashed against them and killed. With regret, I withdrew a little, giving up all hope of landing until the sea had quieted down or daylight had come. This disappointment only added to my uneasiness and made waiting more painful.

These rocks I had mistaken for shore stand out alone about three miles northwest of Manzanillo, and are called the "White Rocks." However, in spite of the fact that I was to be at the mercy of the elements for many more long hours, my hope increased as I became more accustomed to the danger and gained more experience in fighting it; the idea of being close to land also helped to reassure me.

Many times, in the vivid glare of lightning flashes, I saw corpses floating about me, tossed about, as I was, by the waves. They seemed to follow me, imitating every one of my motions. These dead people seemed to say: "Your hopes are foolish; your efforts, useless! Your life is at an end; in a few moments, you will be as we are, a toy for the waves; our grave will also be yours."

In the darkness following the flashes of lightning, I bumped against those floating bodies several times. At every contact, I felt a painful and nervous shock, an involuntary tremor, a mixture of fright and repulsion. It was also possible that I might be seized by some dying person and be obliged to resist the iron grip of despair. The very thought froze me with fear!

I used superhuman energy to swim away from such neighbors, who tired my mind and might have shaken my confidence. At all costs, I wanted to flee from those corpses, which seemed to pursue me and attract me to them! The hours—I should say, the centuries dragged along mighty slowly. Good Lord! How long that night was! But its end was not near! The sea was still pretty rough. The wind, however, had somewhat abated, the storm had ceased; a few stars were appearing, here and there, through the clouds. It must have been close to midnight. I was cold, especially those parts of my body that were out of the water; my teeth chattered, I swam to get warm.

I began to feel sharp pains in my back. Many times I sighed deeply, not only because of those pains, but also because of my thoughts. I was getting more and more tired of fighting the waves that submerged me whenever I failed to avoid them carefully. Several times I concluded it would be better to end it all than to keep up an insane and useless fight; but immediately, I thought it would show a lack of energy and be almost suicide, so I drove those ideas from my mind and redoubled my efforts.

The wind had nearly ceased; little by little, the water was becoming calmer. I could see, with joy, that soon it would be possible to take a little rest after that horrible and continuous fight. Hope, that had never totally failed me, increased, and as hope became stronger, my strength appeared to return also. The clouds were slowly disappearing. I endeavored to orient myself, and hoped to see the signs of approaching dawn.

Then, and up to the break of day, having more confidence of being finally saved, with an easier mind, numbed by the cold, rocked by calmer waves, and freed from the danger of being submerged too often, the scenes and events of my whole life passed through my mind with extraordinary vividness and rapidity. I did not feel as tired, nor were my pains as sharp. My head seemed heavy and my eyes would close now and then. By degrees, my brain had acquired a surprising activity. I could think of several subjects at the same time, and still, there was no uncertainty and no confusion in my ideas. I could see every country I had visited, my parents, my friends, the places where I had seen them and left them for the last time—I recalled their words, their voices. I could see and hear as though the past had become the present. I was in a state of collapse that was not sleep, nor was it the condition of one who is awake.

Instinctively, I fought that condition, fully aware that, should I fall asleep, it would mean death. But I did not try to avoid thinking or remembering; my dreams continued. The events and scenes that filled my mind, in spite of me, were by no means disagreeable.

Death itself did not worry me. I was exhausted and submissive. I thought of those I loved and regretted leaving, and of their sorrow upon hearing that I was no more.

"Will this long, awful night never end?" I said to myself. Then I realized I was threatened by a danger not yet considered. At any time, at any minute —a shark could tear me to pieces; recalling how numerous they were on that coast increased and justified my fears. I was powerless against such a foe, and this new cause for uneasiness was much more disagreeable and irritating than anything that had occurred to me previously.

My back ached terribly. I also could feel my limbs becoming stiff and heavy. To reestablish the circulation of my blood and warm up, I kept moving and swimming in every direction. I feared that these pains and this beginning of paralysis were premonitory signs of collapse and that soon it would no longer be possible for me to continue the fight.

I attentively and continually watched the sky. I could not yet see any sign indicating the break of day—and still, it had been dark such a long time! My eyes had been paining me for several hours, the heat and smoke had affected them. The thought occurred to me that I was blind, that it was daylight! That was unlikely, absurd—for I could see the stars! But then, the strangest ideas were coming into my head. I tried to dispel them, in an endeavor to retain my sanity, which was about to desert me. The silence, broken only by the monotonous sound of the waves, that endless night and my isolation were unbearable. I tried to speak—I uttered only incoherent words; even the sound of my voice filled me with gloom. I whistled between my teeth, as one is wont to do to keep up one's courage when frightened by some peril. I still fought and hoped—the eternal hours went on!

Finally, I thought I could perceive a glow upon the horizon. I wiped my eyes, which were covered with a sticky layer of salt. I pressed my hands against them, closed them for a few seconds, then raising my head out of the water as high as I possibly could, I looked in every direction—I could not yet distinguish anything.

All my hopes, all my illusions, dashed one after another, only increased my impatience. Then, falling prey to the darkest of thoughts, I would exclaim: "No, no, God will not allow the night to be eternal; centuries pass and follow one another, day will follow this night." And I did not cease looking at the sky, begging for the morrow, for light, so slow in coming.

My feet hurt me considerably, they had swollen within my shoes, and were pressed as by a vise. I found a knife in my clothes, so I tried to cut my shoes. I couldn't see, and the motion of the waves being still heavy, I could not succeed. I feared also being caught unawares by some wave that might snatch away my life belts, so I decided to wait until morning. Putting my precious knife back into my pocket, I endeavored to have patience until dawn, and continued to suffer.

I still observed the sky. The events of my life, now and then, filled my mind.

After a long wait, I finally saw lighter shades upon the horizon. This time there could be no doubt day was dawning. Forgetting all, my exhaustion, my pains, my anguish—I gazed with rapturous emotion upon the birth of day.

I could already see some distance away. Soon I would see land, then boats; people were sure to come to my assistance, at last I was going to be picked up and saved.

As soon as I could see somewhat better, I began cutting my shoes. Several times I felt the blade cutting into my flesh, but I finally managed to make an incision from the instep to within a couple of inches of my toes. I wanted to keep my shoes on, so as to have them when I got ashore, and also, I must confess, because I feared my naked feet would make sharks more prone to attack me.

As soon as I succeeded in relieving my feet, I felt very much better and relatively happy.

Now I could see for a considerable distance, but there was nothing around me. I could not yet distinguish land, although I explored every point of the horizon. It was strange to me that I should be so far from shore. The day before, when I had been forced to leave the ship, it was but a few miles away, and now nothing could be seen as far as my eyes could reach. Again, in spite of myself, I began doubting my eyes, shuddering at the thought I might be blind. Rising as high as I could, several times, I scanned the horizon. Finally, far off in the light morning mist, I perceived a darker line. My heart beat violently, a frightful apprehension that had taken hold of my mind was being dispelled, I could see land! I could not realize I was at such a distance from it—I looked all around, but in every other direction I could see only the immense ocean, eternally in motion.

I looked with discouragement, almost with despair, upon that distant land—I certainly was fifteen miles away from it.

I also had hoped to see a few ships, a few boats. I could see nothing! Nothing! I understood I had been carried away a great distance, during the night, by currents that undoubtedly were carrying me still further all the time.

I got ready to cover that distance; the day was to be longer than the night that had just ended. There was a possibility of my reaching shore before dark. I also hoped help would be sent out to the shipwrecked. I derived new strength from my hope and made for shore, remembering the motto: "God helps those who help themselves."

The sea was smooth; time didn't seem so long. The sun was coming up, I was not so cold. I often stopped to look around to see whether there was a ship in sight; still there was none, so I resumed my progress towards land.

How many times did I stop, grieved and discouraged at finding my efforts so useless! It seemed I was making no headway. Upon examining the land, it was plain that I was being carried to the southwest, parallel with the shore, but in spite of my continuous efforts, I still seemed to be no closer. I did not give way to despair. My arms and legs seemed less tired than during the night, notwithstanding I had used them pretty freely. The sun was now high above the horizon, the heat was greater; my face and hands were getting burned and blistered. As yet I had not suffered from thirst or hunger. I tried not to think about it, for I always feared my strength might fail me, and if hunger or thirst were added to my trials, I might lose my confidence, which, thus far, had helped me so much.

For several hours, I kept swimming toward shore with stubborn ardor and determination. Land appeared to me more distinctly; then, later on, I fancied I could see the breakers on the shore line. I was going ahead—now I was sure of it. My courage and confidence increased correspondingly.

Being somewhat exhausted, I needed rest and had to stop often. About midday, as I lay on my back resting, an enormous seagull, thinking, without doubt, I was a corpse, flew towards me and, slackening its flight, brushed the tip of its wing against my face; then turned its head to one side and looked at me. I could plainly see its round, stupid eye. As it was about to land upon me, I pushed it away with both hands, saying "Not yet," meaning I was not yet a lifeless, inert body. During the day, I saw floating around me some of the debris from the ship, together with pieces of coal and carbonized wood. I saw no dead bodies. I was alone, as far as I could see. The night had been a long, tedious one; but the day, that appeared to be passing without bringing me any help, also seemed eternal.

My hope was disappointed. At times, a deep gloom took hold of me. How far from the place of the wreck was I? In what direction had I drifted during the night? The coast was sparsely settled, and outside of Manzanillo, there was no other port for many miles.

The sun had begun dipping towards the horizon. Sometimes, I would swim with rage and desperation. If, within two or three hours, help did not come—if no ship nor boat appeared, it was evident that I was to rely solely on myself to escape from my dangerous and sad predicament.

But the shore seemed more distinct. I most certainly had come out of the current which had carried me out at sea during the night. That thought maintained my hope; but with what anxiety I looked about to see whether help was coming.

The porpoises that swim in numbers, and frolic about half out of the water, had been around me continuously, and had kept me in constant fear of sharks. Since I was drawing nearer shore, they had disappeared, to my great relief. As I successively passed from action to inaction, from hope to discouragement, the day was waning—only a few hours of light were left me. I sometimes regretted that the long hours had gone by so quickly.

The hope of being rescued, that had never abandoned me, began to leave me altogether. I figured the chances I had left in my favor, should I be obliged to stay another night in the water, and I still forced myself to believe that I would finally pull through.

During the day, I had covered a considerable distance and had gotten out of the current that swept me away from land. The shore was not very far distant; I might reach it during the hours of daylight that were left, and supposing I could not succeed in reaching the coast, it would still be possible for me to see it in the night that would probably not be as dark as the preceding one. I felt able to stand it for twenty-four hours, and possibly, for forty-eight hours longer. It was certain that, long before this, I would land, if no other help came in the meantime.

These thoughts sustained me. Calling upon my tired limbs for another effort, I started to swim again with the firm intention of completely exhausting my strength to either reach land, or get close enough to it not to lose sight of it during the night that was coming.

As soon as I should consider myself close enough, I intended to abandon one of my life preservers, as it impeded my movements and made my progress slow.

Many times I thought of getting rid of it, but I dared not do it. Still less now than during the day could I rely on my strength, so I must hang on to that life belt until I was close to shore.

I kept swimming without looking about me any more—I stopped only to catch my breath; but I could not remain long without moving. It seemed to me that by resting, my limbs lost their suppleness and became numbed. So I moved almost continuously and mechanically. My head was sound, my ideas clear; but my heart ached at the idea that very soon I would have no strength left to make headway. During one of the short periods of rest, I fancied I heard a noise on the water. Turning my head around quickly, I saw two boats coming toward me.

I remained motionless, but was not otherwise moved at their sight. How can one explain such indifference in any other way than through utter lack of strength. It was perfectly clear to me that I was saved at the very moment such a thing was farthest from my thoughts.

But it seemed to me quite natural! Queer contradiction! I had so thoroughly imbued my mind with the idea that I would get out of it, that these boats, to which I owe my life, simply seemed, at that time, to be putting an end a little sooner to a danger from which, at all events, I was to escape a little later. One still hopes even when all hope is gone. The men in the first boat stretched out an oar to me; I seized it with both hands and they pulled me towards them. It required several men to pull me in. I could hardly help myself. I tried to hold on to the side of the boat, but my hands would slip, and had no strength.

Once out of the water, it seemed my weight was enormous. I slid to the bottom of the boat, and in the midst of confused ideas, muttered the words, "At last."

My life preservers and my clothes were removed; the heat was very great; in a few minutes I felt better. This boat, a few feet long, appeared to me as large as the universe.

I was saved! They gave me some whiskey that tasted like turpentine; it seemed delicious. I drank some lukewarm water; to me it was excellent. I gave a look and a smile of gratitude to these good, black, and ugly Mexicans. They seemed to be affected and satisfied at having saved me, and just as astonished as I was myself at my rescue.

For a few minutes, I gazed at the deep blue water. I fancied I was awakening from an awful dream and was surprised to find myself in such a position. It was most delightful, at last, to be able to rest; it made me feel as though I was being resurrected from the dead. Then, I looked at the shore I had been unable to reach; it seemed farther away than it appeared to be, a few moments ago, as I swam towards it. I was bruised and sore. I tried to move but could not. The skin on my face and hands was shrivelled and burnt; when touched, it felt like parchment dried in the sun; my feet were swollen and bleeding. I remained absorbed by my thoughts, hardly believing I was awake.

All the men around me were looking at me and smoking cigarettes. I asked for one and, in order to convince myself I was still alive, I took a few puffs with great delight.

Then, suddenly all the scenes of the day before came into my mind, the recollection of my companions who perhaps were dead, the thought of my parents, of my friends in Europe and America; the joy I felt to know I was to see them all again and many more ideas that came into my mind caused me to choke, and, in spite of myself, tears came to my eyes. It was with great difficulty that I succeeded in mastering my feelings. After this passing emotion, I became as calm as I was before the conflagration.

I then learned to my surprise that I was about forty miles from the point where the wreck had taken place and that currents had carried me to the south of Manzanillo and swept me past the entrance of the harbor during the night.

The boats that had rescued me, like all others, were, upon leaving port, to have gone to the wreck, and consequently had steered north; but the one who commanded the first boat, noticed debris drifting southward and the idea came into his head to explore in that direction. I therefore owe my life to that fortunate circumstance, to hazard, to Providence.[6]

A little later, we caught sight of a ship. Signals were immediately made and our boat was rowed to it.

On July 28, 1862, at five in the afternoon, twenty-four hours after the burning of the *Golden Gate*, having remained in the water in the neighborhood of twenty-three hours, I was put aboard the schooner *Liberato*, a small sixty-ton boat engaged in coastal trade along the Mexican shore. It was bound from Acapulco to Manzanillo.

I encouraged the men who had saved me to continue their search, indicating which way to go and saying that, during the day, I thought I had seen other people. I feared that other unfortunates might be expecting help in vain and would perish of hunger, thirst, exhaustion and despair.

I could have survived probably two more days. They pulled away, and although very tired, they continued their search and were soon lost in the distance.

I learned the next day that they had found no one; they had only come across some wreckage and a few corpses.

I was given, on the *Liberato*, assiduous and much needed care. Captain Armand (of French descent) placed everything he had at my disposal. As soon as my hunger was satisfied,[7] and my strength had somewhat returned, my thoughts once more went to the unfortunates who were, perhaps, expecting help. I persuaded the Captain to sail south, and he very promptly steered his ship in the direction I indicated. The greater part of the night I remained on deck, looking far and wide all around.

The night was fine, we explored the sea in every direction; but during the evening and all next day, we saw nothing save a few corpses, among others that of a woman I recognized, some debris from the *Golden Gate*, and the overcoat of Dr. Bodinier.

On July 29, in the evening, we landed in Manzanillo. It was with joy that I met on the beach the survivors of the wreck, my friend Guy was among those who greeted me on shore. He had succeeded in getting into a boat, dragging a woman into it with him, at the very moment that the boat was being launched.

But among the people who had been saved, many were in deep despair. Husbands, wives, children, brothers were missing. The number of victims exceeded two hundred—about two hundred and sixty-five. We had lost two-thirds of the passengers and a third of the crew.

The fire had started in the kitchen, for the first flames issued from there. The cooks tried to master the conflagration, without giving the alarm, and allowed it to spread, being thus the cause of the loss of the ship and of its dire results. But had it not been for the courage and presence of mind of the man at the wheel, the number of victims would have been still greater. All those who had sought refuge forward, would in all likelihood have perished.

As I was about to cut loose from the ship, I saw that man, in the midst of the flames, busy tying the rudder, so that, once abandoned to itself, the ship could not change its course. Then, from the deck, he plunged into the sea and succeeded in swimming ashore.

Of those who had leaped into the water when I did, only two survived: the brave fellow who was at the wheel, and the passenger who appeared to be more concerned about his boots than about himself. All those who had been unable to cling to the ship until it ran ashore, or could not find room in the boats, had perished.

Did everyone do his duty in the midst of those scenes of confusion and disorder? Who is to bear the responsibility for such a terrible disaster and the grief of so many families? Those are difficult and delicate questions to answer. From my observations, few men keep cool when facing an unexpected and violent death. Reason is bound to give way under the strain of such a sudden transition and heavy shock. Among those who showed the least courage and presence of mind, many, in my opinion, would have behaved as heroes on a battlefield. Rushing into danger is a different thing from having it take you unawares.

NOTES

1. For material on the *Golden Gate* in addition to what is given in the Introduction, see Ernest A[bram] Wiltsee, *Gold Rush Steamers* (San Francisco: Grabhorn Press, 1938), pp. 61-62, 70, 71, and 291-98. Regarding André Chavanne, see "The Story of a Gold Miner, Reminiscences of Edwin Franklin Morse," in this QUARTERLY, VI (December 1927), 332-35 and 356-57; Carl I. Wheat, "The Rocky-Bar Mining Company," in this QUARTERLY, XII (March 1933), p. 72; and Edwin F. Bean, *Bean's History and Directory of Nevada County* (Nevada [City], 1867), pp. 207-8.

2. Captain William H. Hudson was in command of the ship.

3. Dr. J. V. Bodinier, a San Francisco physician.

4. Abel Guy, a San Francisco capitalist, is listed in Henry G. Langley, *San Francisco Directory*, 1862, as a commission merchant and banker, 411 Washington Street. He was part owner, with the Chavanne brothers, in the Rocky-Bar Mine on Massachusetts Hill, near Grass Valley. In 1891, after having resided in Paris a number of years, he killed himself by jumping from the window in the top story of the house in which he lived to the courtyard below.

5. Captain R. H. Pearson was fleet captain of the Pacific Mail Steamship Company. His statement regarding the wreck and burning of the vessel was published in the San Francisco *Alta California*, August 7, 1862, and reprinted in Wiltsee, *op. cit.*, pp. 291-97.

6. Chavanne later bought a small vessel and presented it to the Mexican to whose perseverance in continuing the search he owed his life. Morse, *op. cit.*, p. 357, states that this Mexican captain made two or three visits to Chavanne at Grass Valley and that Chavanne's friends "united in wining and dining his rescuer to show their appreciation."

7. Chavanne said that he was given a boiled chicken with rice.

The Origin of the Gillespie Mission

By John Adam Hussey

ON THE seventeenth of September 1845, the United States Ship *Brandywine* arrived at Hampton Roads, Virginia, after a cruise of two years and four months, during which she had touched at ports in Brazil, India, Ceylon, China, the Philippines, the Hawaiian Islands, the Society Islands, and Chile. Among the officers of her complement none would seem to have been looking forward with more pleasure to a change of duty than was the commander of the *Brandywine's* Marine guard, First Lieutenant Archibald H. Gillespie. The maintenance of his little command, composed chiefly of foreigners, in a state of soldierly efficiency had severely taxed the Lieutenant's powers of discipline. The Irish he had found especially difficult to handle.[1]

In fact, the experiences of the voyage had so impressed Gillespie with the necessity of having more Americans in the Marine guard that, with characteristic energy and lack of reticence, he reported his views on the subject to the commandant of the Marine Corps, Brigadier General Henderson, immediately upon his arrival in port:

> The crew of this ship is comprised of some of the most hardened spirits an officer ever had to deal with. If the present system of shipping men should continue, and the discipline of the Navy continue to be undermined also, by the interference of the civil law upon every trifling occasion, I fear the time is not far distant, when it will require a strong breastwork of bayonets in the hands of the Marine Guard, composed of native born Americans, to protect the quarter-deck from insult and outrage.[2]

The officer who gave voice to these alarming remarks was no callow youth inexperienced in the ways of soldiers. In 1832, he had been a sergeant of Marines, twenty years old, and recommended as having had a "good classical education" and as being faithful in the performance of his duty. That same year he had been commissioned a second lieutenant in the Marine Corps. Although he had been born in New York, his appointment was from New Jersey, the home of his guardian. Six years later, in 1838, had come his promotion to the rank of first lieutenant. By the time of his assignment to the *Brandywine*, Gillespie had already served on three vessels in the Pacific and had seen duty as a station commander.[3]

The type of service to which Gillespie was looking forward upon his return from the long voyage in the *Brandywine* is shown by a letter which he wrote to Brigadier General Henderson from Norfolk on September 21. It reads as follows:

> Sir
>
> In consequence of the delicate state of my health, which will prevent my performing Garrison duty this winter, I am induced to request orders to take charge of the Clothing

Store at this place—I have been informed by Lieut Stark, that he expects orders for sea service; however, should such not be the fact, I feel that the General Commanding will recognize my claim to the position, after having served so long a period at sea.—

It is very probable I will march my Company to Barracks on Wednesday 24th inst, at which time I will be obliged by recieving [sic] the orders requested.[4]

Three days later the Commandant informed Gillespie that it would give him great pleasure to assign the Lieutenant to the requested duty provided the disbursing staff of the Corps approved and the service required such a detail, which necessity the General considered doubtful.[5] This reply must have dashed considerably Gillespie's hopes of an easy berth, but his spirits would have been raised had he known that events were already transpiring which were to bring him a duty more attractive and more romantic, if more strenuous, than the ordinary routine of the service could have given him any reason to anticipate.

On the day before the *Brandywine's* arrival at Hampton Roads, a most important meeting of President Polk's Cabinet had been held in Washington to discuss the reestablishment of friendly diplomatic relations with Mexico —relations which had been upset and finally broken off by a series of events culminating in the annexation of Texas. Late dispatches from the confidential agent of the United States in Mexico, and from the United States consuls at Vera Cruz and Mexico City, indicated that Mexico would not declare war on the United States nor would she even "invade" Texas. What was more, there seemed to be an earnest desire to receive a commissioner from the United States. A suitably qualified envoy, reported the secret agent, "might with comparative ease settle *over a breakfast* the most important national question."[6]

Here seemed to be the realization of Polk's long-held hopes that the differences with Mexico might be settled peaceably.[7] The Cabinet agreed unanimously that a minister should be sent forthwith to the southern republic. It was decided that John Slidell, of New Orleans, should be offered the mission. The Cabinet was also in complete harmony with the President's idea that one great object of the mission was to be the settlement of a permanent boundary between the two countries, for the furtherance of which purpose Slidell was to be instructed to purchase Upper California and New Mexico.[8]

In his discussions with his Cabinet at this meeting of September 16, 1845, Polk made the first known official announcement of his desire to acquire California for the United States. The idea, however, had long been in his mind. By the time of his inauguration on March 4, 1845, the far-flung Mexican province on the Pacific was already an object of interest to the American people, and many were openly expounding upon its importance to the United States. As early as 1835 our Government had earnestly endeavored to purchase California soil, and the efforts had been continued in later years. Polk was quite in accord with a well-established national policy, then, when, shortly after taking office, he announced privately to the Secretary of the Navy that the annexation of California was to be one of the four great aims of his administration.[9] The naval commander in the Pacific was early ordered to seize the region immediately if war should break out with Mexico.

But much as Polk wanted California, he was not willing to let the matter of its acquisition interfere with his primary object at this time—the restoration of "those ancient relations of peace and good will which formerly existed between the Governments and the citizens of the sister republics." From the final instructions to Slidell it is clear that the purchase of California was not to be pressed to the point of arousing antagonism on the part of Mexico.[10]

The President realized that buying California was not an absolute necessity. He was fully aware that other forces were already at work which would bring the province peacefully into the Union. Official dispatches from Thomas O. Larkin, the American consul at Monterey, California; writings of British, French, and even Mexican agents and journalists; and jingoistic articles in the American press made it perfectly clear to the Government and the Nation that the ever-swelling tide of emigration from the United States to California must within two or three years bring about the separation of that department from Mexico.[11] In other words, the "Texas game" was being played again. How far the administration was cognizant of these movements is shown by instructions sent to Larkin on October 17. If the people of California should desire to join the United States, the Consul was told, their "true policy" for the present should be "to let events take their course."[12]

To the minds of many patriotic Americans, however, there lay in such a program one grave danger—the possibility that California might come under the sway of Great Britain or France, either through direct transfer on the part of Mexico or through the province declaring itself independent and seeking the protection of one of these powers. For years the State Department had been bombarded with official warnings of the intrigues of England and France in this regard, and denunciations of English "schemes" in relation to California figured prominently in the public press. Although it has been demonstrated that there was actually little danger of either of these powers taking California, the fear that they would do so was widespread in the United States, and in this suspicion President Polk actively shared. But in mid-September 1845, the administration does not seem to have been contemplating any specific measures to counteract foreign influence. It was evidently considered sufficient that American emigration to California was increasing and that the Monroe Doctrine existed as a general warning that European interference would not be tolerated.[13]

The Washington correspondent of the New Orleans *Picayune* probably reflected the views of official circles when he wrote on September 17, "It is predicted that Mr. Polk's administration will be signalized by the settlement of the Oregon question satisfactory to the American people, by the peaceful acquisition of the Californias, and by the adjustment of all our claims upon Mexico."[14] To be sure, on that same day newspaper articles indicating that Mexico's attitude might still be warlike had caused the Cabinet to determine to delay Slidell's departure until more positive reports were received. But this measure does not seem to have interfered seriously with Polk's belief that peace would prevail. In a letter to our minister to Prussia on September 26, 1845, Secretary of State Buchanan wrote, ". . . . the probabilities are that there will be no actual hostilities."[15] On October 17, orders to the commander of the squadron in the Pacific contained assurances that war with Mexico would be "contrary to present expectations"—a highly significant statement in view of the fact that an officer so far removed from the source of direct orders imperatively required an indication of the Government's general policy.[16]

From this course of comparative inactivity in regard to California, Polk and his chief advisors were rudely shaken on October 11, 1845. On that day there reached the State Department an alarming letter from Thomas O. Larkin, dated July 10, 1845. The Consul at Monterey stated that the agent of the Hudson's Bay Company in California had formerly supplied arms and funds to the native residents to expel their Mexican governor, but now there was "no doubt" in the country that Great Britain was instigating and financing a Mexican expedition to subdue California. Furthermore, there were British and French consular agents in the department, although they apparently transacted no commercial business. The unmistakable implication was that these two officials were there chiefly to foster the political designs of their respective governments on the province.[17]

The sensation created by this dispatch was heightened by another received the same day from W. S. Parrott, the United States secret agent in Mexico. "Everything coming from California excites great interest here in English circles," declared Parrott. "The British legation is all alive on such occasions."[18] This information was made more plausible by earlier reports from him indicating that the English naval force in the Pacific was being strengthened to take California in the event of war between the United States and Mexico and that an Irish priest, Eugene McNamara, had on foot a project to establish a colony in California.[19]

These advices taken together, and the Larkin letter above all, determined Polk to change his policy in regard to California.[20] The course of letting the province ripen like a plum until it was ready to fall into the hands of the United States of its own accord was to be continued, but in addition active measures were to be taken to counteract the designs of European nations upon the region. This decision was deliberate and it was secret. The President himself seems to have been chiefly responsible for formulating the course of action, and James Buchanan, Secretary of State, and George Bancroft, Secretary of the Navy, were the main agents in carrying it into effect.[21] Within six days after October 11, the program was decided upon and steps to bring it to fruition were put in motion. The policy had four main phases:

First, in addition to his consular activities, Thomas O. Larkin was appointed a confidential agent to foster friendly feelings towards the United States among the Californians and to counteract the machinations of any foreign emissaries in that area. His instructions from Buchanan dated October 17, 1845, state very clearly what was expected of him and also indicate the policy of Polk towards California.

"The future destiny of that country," said the Secretary of State, "is a subject of anxious solicitude for the Government and people of the United States." For this reason Larkin was to exert the "greatest vigilance" in discovering and defeating any attempts which might be made by foreign governments to acquire control of the region, for the President "could not view with indifference the transfer of California to Great Britain or any other Power." On the other hand, the United States had "no ambitious aspirations to gratify" and no desire to extend its federal system over more territory than it already possessed, "unless by the free and spontaneous wish of the Independent people of adjoining Territories." The exercise of compulsion or improper influence to accomplish such a result would be repugnant "both to the policy and principles of this Government." But, should the people of California "desire to unite their destiny with ours, they would be received as brethren," whenever this could be done "without giving Mexico just cause of complaint." Larkin was on "all proper occasions" to warn the government and people of California of the dangers and miseries of European dominion and was "to arouse in their bosoms that love of liberty and independence so natural to the American Continent."[22]

Second, Commodore John D. Sloat, commander of the United States squadron in the Pacific, was to communicate frequently with Larkin and, like him, was to ascertain the nature of the designs of the English and French in California and the political leanings of the population. "You will do everything that is proper," he was ordered on October 17, "to conciliate towards our country the most friendly regard of the people of California."[23] Almost identical orders were given on the same day to Commodore Robert F. Stockton, who was to deliver both the dispatch to Larkin and the orders to Sloat after first making a stop at the Hawaiian Islands.[24]

Third, John Slidell, as a part of his mission to Mexico, was to ascertain if there were any schemes afoot to transfer California to England or France and, if so, to exert all his energies to prevent their consummation. He was told emphatically that "whilst this Government does not intend to interfere between Mexico and California, it would vigorously interpose to prevent the latter from becoming either a British or a French Colony." To guide him, Slidell was given a copy of Larkin's instructions and was given permission to correspond freely with the Consul at Monterey on the subject of foreign danger.[25]

Fourth, a special confidential agent of the President was to be sent to California by a quick overland route. With him was to go a copy of Larkin's instructions, which it was assumed he would deliver before Commodore Stockton could arrive at Monterey with the original document. The agent was to be made well acquainted with Larkin's mission and was to "co-operate as a confidential agent" with Larkin in carrying the Consul's instructions into execution.[26]

As early as October 17, 1845, it had been decided to entrust this delicate secret mission to Lieutenant Archibald H. Gillespie, who by that date had arrived in Washington from Norfolk. Beyond the fact that Gillespie was available for the duty and spoke excellent Spanish, no special reason for his selection is known.[27] To the Secretary of the Navy was entrusted the task of arranging the details of Gillespie's journey, and it was to that official that the Lieutenant was to make his reports.

For the sake of secrecy, it was agreed that Gillespie should assume the guise of a merchant traveling both for business reasons and to improve his delicate health. Without attempting to set an exact route, it was decided that an overland journey across Mexico would be best for the purposes at hand, Gillespie to trust to finding a passage to California in a merchant ship when he should arrive on the West Coast.

It seems to have been on October 17 that Gillespie was dispatched to New York to work out the details of his passage to the Gulf coast of Mexico and to determine upon his road to the Pacific. He was probably already on his way when two official orders which mark the formal beginning of his mission were issued on the eighteenth. One, from the headquarters of the Marine Corps, ordered him to report to the Secretary of the Navy for such duty as might be assigned.[28] The other, from Secretary Bancroft, read as follows:

> You will proceed to New York pursuant to the instructions already communicated to you by the Department, and having fulfilled them you will return and report in person to the Secretary of the Navy.[29]

While Gillespie was off making traveling arrangements, Bancroft was busy creating a fictitious commercial background for the newly made merchant. In his necessity he turned to an old and intimate friend, Samuel Hooper, of the Boston firm of William Appleton & Company. This well-known commercial house conducted an extensive business along the California coast, maintaining there a permanent agent and sending regular ships to engage in the hide and tallow trade.[30] The combination of friend and firm was ideal for Bancroft's purposes. On October 17, he wrote Hooper the following letter:

> Private and confidential
> My dear M^r^ Hooper,
>
> I wish to get for M^r^ Archibald H. Gillespie a letter of introduction to your business agent at Monterey, if you have one there and if not to your correspondent nearest Monterey. Let the letter run, so that if he shall be examined as an American, the paper may show that he goes to your correspondents to ascertain the security & condition of your affairs there.
>
> Write such a letter as you are willing to do, & send it [to] me by return mail if convenient.
>
> Yours most truly
> Geo Bancroft
>
> Washington, D. C. Oct. 17, 1845.
> My best regards to M^rs^ Hooper, & M^r^ Sturgis.[31]

Four days later Hooper forwarded to the Navy Department the requested letter introducing Gillespie to Henry Mellus, the company's agent in California. At the same time, the Boston merchant announced that one of his firm's ships, the *Barnstable*, was to sail for that region in about two weeks, and as Gillespie would undoubtedly reach there before the vessel, Hooper was taking the liberty of inclosing an unsealed business letter to Mellus with the request that the Lieutenant deliver it. "I trust the form of my letter will meet your views," he wrote to Bancroft. "It will not be necessary to deliver the introductory one and from the other M^r^ Mellus would infer only that we had offered M^r^ G. a passage in the Barnstable."[32]

As Hooper had said, William Appleton & Company was very circumspect in mentioning Gillespie to Mellus in the open letter which was to pass through Bancroft's hands. "We write this letter to go by Mr Gillespie who thinks he shall be with you sooner than by going in the Barnstable, and fearing it might otherwise be inconvenient to him we give him this unsealed," read the communication. "As you are not personally acqua[i]nted we have written a[n] introductory letter for him—We shall write you more fully by the Ship," it concluded.[33]

In a sealed letter forwarded several weeks later on the *Barnstable*, William Appleton & Company lost much of its reticence in discussing Gillespie. The communication to Mellus was, in part, as follows:

> Enclosed you have copies of our letters of the 28th April via Mexico & of the 21st October by Mr Gillespie sent unsealed that it might not be taken from him in Mexico—it was written, as also one of introduction to you that he might if necessary appear to be going out for business purposes for us.—We do not know the object of his visit to California, but were requested to give him a Letter of introduction to you. It is probable funds will be placed with us for his expences if so we shall give him authority to draw on us.—Should he have such a letter of Credit you may find it convenient to take his drafts on U. S. or assist him in negotiating them. He is now in New York waiting we suppose for an opportunity to embark for Mexico. . . . We recommend Mr. Gillespie to

> your attention, as he may have it in his power to give you early information in case of any difficulty or to render you assistance. We do not know him personally and have given him Letters to you at the request of others.[34]

Meanwhile, Gillespie was having his troubles in New York. Detained by a steamboat accident, he did not reach the city until late on the afternoon of Saturday, October 18. It was Monday before he could begin his inquiries in relation to travel across Mexico. By Monday evening he had eliminated the Porto Bello route as unsatisfactory due to there being little chance of catching a trading vessel to California from the western end of that road. And by Thursday he had been unable, as he termed it, to learn anything more than that a vessel would sail for Vera Cruz about November 5 and that the Vera Cruz route was the best across the country. He suggested to Secretary Bancroft that inquiries be made of commercial firms through the collector of the port at New York with a view to securing confidential information and letters which would represent him as a commercial character.[35]

On October 25, Bancroft informed Gillespie that all the mercantile letters which probably would be needed had already been obtained. Thus further inquiries in New York were unnecessary, and the Lieutenant was given permission to arrange passage on the vessel leaving for Vera Cruz early in the next month. "You will so arrange your visit to Washington as to return before her day of Sailing," Gillespie was ordered.[36]

During Gillespie's absence, events were taking place in Washington which appear to have caused a change in the duties of his mission. On October 24, President Polk invited the influential Senator Thomas H. Benton to make a call on him and sought his advice concerning both Oregon and California, although there had been no intercourse between the two men since the Missouri Senator had bitterly denounced the rejection of Van Buren by the Democratic Convention of 1844.[37] In relation to California, the President told Benton of his fears that Great Britain "had her eye on that country," and the Senator agreed that no foreign power ought to be permitted to colonize the region. But Benton expressed his conviction that Americans would settle on the Sacramento River and ultimately hold the country. The expedition of Benton's son-in-law, Frémont, and the intention of that officer to visit California before his return to the United States were also discussed.[38]

Up to the date of this conversation, there is no known evidence that Polk intended to have Gillespie make contact with Frémont in California. It seems probable that it was while discussing the route of the explorer with Benton that the President first conceived the idea that the Senator's famous young son-in-law might be of use in forwarding the administration's program. At any rate, within a few days after October 24, indications begin to appear in the records that one object of Gillespie's mission was to be a meeting with Frémont.

On October 27, Buchanan wrote to Larkin enclosing a package for Captain Frémont, which the Consul was to forward if a safe opportunity presented itself. Another letter of the same date to John Black in Mexico City shows that this packet was to be entrusted to the regular mails across Mexico. On the copy books of the State Department both of these letters are marked "cancelled," indicating that some other method of transportation was decided upon for the parcel. It is known that Gillespie did deliver to Frémont a package of letters from Senator Benton and his family; and, according to sworn testimony, this was the only packet delivered to the explorer by Polk's agent. It seems logical to assume that the package which Buchanan was willing to entrust to the uncertainties of the ordinary mails was composed of the Benton letters and that, since it had been decided to have Gillespie make contact with Frémont, the delivery of the documents was entrusted to him somewhat as an afterthought and perhaps as a gesture of friendship to Senator Benton. The other possible view, that, because these family letters were to be delivered and because it seemed expedient to have Gillespie deliver them, the idea developed of making Frémont a party to Polk's program does not seem so probable.[39]

If sound, this reasoning would lead to the conclusion that the delivery of the Missouri Senator's letters was not originally contemplated as one of the objects of Gillespie's mission and that the contents of the letters were not vitally concerned with the Government's plans for California. This theory is strengthened by what is known about the contents of Benton's letters. One of them, at least, seems to have been written after the Senator's conversation with Polk and, evidently, after some discussion with Buchanan. Benton informed the explorer of the administration's fears of foreign influence and seems to have intimated that the explorer himself might soon hear from the Secretary of State. Frémont later testified under oath that passages of the letter were "enigmatical and obscure," but he seems to have derived enough knowledge from them to reply to his father-in-law a few days after receiving the communication that intelligence of British trading activities among the Indians of southern Oregon might be "worthy of Mr. Buchanan's attention" and that "your letter led me to expect some communication from him, but I *received nothing*."[40]

Although he did tell something of the Administration's views in his letters, Benton did not send any instructions to Frémont from Polk or Buchanan. As late as November 1846, Benton seems sincerely to have believed that in the Bear Flag affair Frémont had acted solely on his own responsibility and as a victim of circumstances.[41] Evidently he did not hear of any instructions to Larkin until 1847, and not until February 1848 did he learn the exact contents of those instructions.[42] Furthermore, it is certain, in view of Benton's strong desire for peace with Mexico at this time, that he did not suggest to Frémont that he start a forcible revolution in California.[43]

Whatever may be the validity of the cancelled letters in the State Department as evidence to support the view that the determination to include Frémont in the Government's plan was not part of the original program, it is clear that by November 3, 1845, that decision had been made. On that date Buchanan wrote for Gillespie a letter of introduction to Frémont, representing the Lieutenant to be a visitor to the "north-west coast of America on business."

"I do not deem it probable that he will fall in with you," the Secretary wrote for Mexican eyes, "but if he should, allow me to bespeak for him your friendly attention. He will be able to communicate to you information of the health of Mrs. Fremont and of Col. Benton and his family."[44]

When Gillespie left Washington for California he carried with him the packet of Benton letters, and he also, according to the sworn testimony of both Gillespie and Frémont, had been directed to acquaint the explorer with his instructions, which, as they were explained to Frémont, "had for their principal objects to ascertain the disposition of the California people, to conciliate their feelings in favour of the United States, and to find out, with a design of counteracting, the designs of the British government upon the country."[45] He was not instructed to order Frémont to stir up a violent revolution in California against the Mexican authorities.[46]

With these new determinations Gillespie was acquainted upon his return to Washington from New York in the last days of October. At about eight o'clock on the evening of the thirtieth, the Lieutenant called upon the President to receive his final instructions.[47] Upon leaving he seems to have carried away the impression that the great objective of his mission was to be the encouragement of the native Californians of their own free will to declare themselves independent of Mexico and through their friendship for the United States to seek the protection of the Union.[48]

During this short visit to the capital, Gillespie worked out with the Navy Department the final details of his trip. It was decided that instead of relying upon a merchant vessel to carry him from the west coast of Mexico to California, he was to apply to Commodore Sloat for passage in a ship of war.[49] He was to commit to memory the dispatch to Larkin and destroy the written copy before his arrival at Vera Cruz, and, in general, he was to report to Bancroft all the facts observed en route which he deemed of interest to the Government.[50]

On November 1, Buchanan wrote for him a non-committal personal letter of introduction to Larkin,[51] and on the same day Bancroft issued him the following order:

> In further prosecution of the duties assigned you by the Department, you will proceed without delay to New York, and will consider yourself on Special Service.[52]

In obedience to these instructions, Gillespie directed himself to his point of departure. How he fared there is shown by the following letter:

New York November 10th 1845

Sir

The sailing of the Petersburgh has been delayed until Thursday 13th inst, in consequence of the Shippers having disappointed the owners—I have just been on board of the Brig, and find them loading with much despatch, which induces me to believe there will not be a further delay.

A letter of Credit being necessary to enable me to draw upon Messrs Appleton & Co, I will be obliged if you would address them upon the subject, requesting them to send me a letter by the first mail after the receipt of your advice—

When with Mr Buchanan I omitted to request the letter to the Consul at Vera Cruz, spoken of by His Excellency the President—As it may be of importance, I will be obliged if the same were sent me by return of mail.

I have the honor to be
Very Respectfully
Your M° obt Serv't
ARCHI H. GILLESPIE

To the Honorable
the Secretary of the Navy
Washington[53]

Once more Bancroft bestirred himself on behalf of the President's agent. On November 12, he wrote to Hooper and William Appleton & Company requesting that a power to draw on their house for any sum not exceeding twelve hundred dollars be forwarded at once to Gillespie in New York. The draft was sent to Gillespie two days later and reached him in time for him to draw upon his credit to the extent of $500 before his departure.[54] The Secretary also supplied the Lieutenant with the desired letter of introduction to the consul at Vera Cruz.[55]

Finally, on November 16, Gillespie's long delayed departure was accomplished. In a letter from the brig *Petersburgh* off Sandy Hook just before the pilot was dropped, the excited agent wrote a farewell letter to the Secretary of the Navy. "Be pleased to express to His Excellency the President, how grateful I feel for his confidence," he begged, "& assure him at the same time, that he will find it has not been misplaced." After further effusive thanks to Secretary Buchanan and to Bancroft himself, for the honors heaped upon him, Gillespie brought his communication to a dramatic climax. "I trust," he wrote, "that should I be successful I may not be forgotten, & will receive the only reward a Soldier asspires [sic] to obtain."[56] Gillespie was off on his great adventure.

NOTES

1. A. H. Gillespie to F. A. Parker, At Sea, July 18, 1845; A. H. Gillespie to A. Henderson, Hampton Roads, September 17, 1845, Letters Received File (original MSS in Office of the Major General Commandant, United States Marine Corps, Navy Department, Washington, D. C.).

2. A. H. Gillespie to A. Henderson, Norfolk, September 17, 1845, Letters Received File.

3. "A. H. Gillespie, Service Record" (MS in Office of Naval Records and Library, Navy Department, Washington, D. C.).

4. Letters Received File (in Office of the Major General Commandant, U.S.M.C.).

5. A. Henderson to A. H. Gillespie, Washington, September 24, 1845, Letter Book No. 3 (MSS in Office of the Major General Commandant, U.S.M.C.), p. 653.

6. W. S. Parrott to J. Buchanan, August 26, 1845, as quoted by Jesse Siddall Reeves, *American Diplomacy under Tyler and Polk* (Baltimore, 1907), p. 271.

7. It is not the purpose of this article to present the arguments supporting the contention that Polk's policy towards Mexico at this time was one of peace, so long as the national honor could be preserved. A convenient presentation of the subject will be found in Justin Harvey Smith, *The War with Mexico* (New York, 1919), I, 127-31. See also George Lockhart Rives, *The United States and Mexico, 1821-1848* (New York, 1913), 2 vols.; and Eugene Irving McCormac, *James K. Polk* (Berkeley: University of California Press, 1922). For the opposite view, that Polk's policy was to provoke war, see Richard R. Stenberg, "The Failure of Polk's Mexican War Intrigue of 1845," *Pacific Historical Review*, IV (March 1935), 39-68. It is often stated that Polk's orders to Taylor during the summer and fall of 1845 to occupy the area between the Nueces and the Rio Grande were definite attempts to provoke Mexico into armed conflict. Polk, however, was bound to hold the area regarded by Texas as her own, that is, to the Rio Grande; but he seems to have sincerely believed that this could be done without resort to war. In his diary for September 1, 1845, he gives the following account of a conversation between himself and Senator W. S. Archer, of Virginia: "The military and naval preparations which had been made by the Administration were spoken of, and Mr. Archer concurred in an opinion, expressed by the President, that the appearance of our land and naval forces on the borders of Mexico and in the Gulf would probably deter and prevent Mexico from either declaring war or invading Texas." James K. Polk, *Diary of James K. Polk During His Presidency, 1845-1849*, Milo Milton Quaife, ed. (Chicago, 1910), I, 12-13.

8. Polk, *op. cit.*, I, 33-35.

9. For detailed evidence supporting the statements made in this paragraph see Smith, *op. cit.*, I, 323-24; Robert Glass Cleland, *Early Sentiment for the Annexation of California* (Austin, [1915]), pp. 1-45; *Century Magazine*, XLI (April 1891), 923.

10. J. Buchanan to J. Slidell, Washington, November 10, 1845, Instructions, Mexico, XVI, 1-22 (MSS in Archives, Department of State, Washington, D. C.); printed in John Bassett Moore, ed., *Works of James Buchanan* (Philadelphia, 1909), VI, 294-306. It is significant that had Mexico accepted Polk's offer to settle the debts for a Rio Grande boundary, Polk would have deprived himself of his means of bringing pressure on Mexico to cause her to sell California.

11. See Cleland, *op. cit.*, pp. 56-73; Smith, *op. cit.*, I, 320-22.

12. J. Buchanan to T. O. Larkin, Washington, October 17, 1845, Larkin Documents, III, 337 (original MSS in Bancroft Library, University of California, Berkeley); printed in this QUARTERLY, V (September 1926), 298-301, and elsewhere.

13. See Cleland, *op. cit.*, pp. 82-97; Smith *op. cit.*, I, 323-24; E. D. Adams, "English Interest in the Annexation of California," *American Historical Review*, XIV (July 1909), 744-63. An excellent treatment of a phase of the British interest is L. G. Engelson, "Proposals for the Colonization of California by England in Connection with the Mexican Debt to British Bondholders, 1837-1846," in this QUARTERLY, XVIII (June 1939), 136-48.

14. New Orleans *Daily Picayune*, September 27, 1845, as quoted in Cleland, *op. cit.*, p. 45.

15. J. Buchanan to H. Wheaton, Washington, September 26, 1845, Polk Papers, 1st Series, Vol. 73 (MSS in Library of Congress, Washington, D. C.).

16. G. Bancroft to J. D. Sloat, Washington, October 17, 1845, in Sloat Manuscripts (MSS in Templeton Crocker Collection, California Historical Society, San Francisco); printed in this QUARTERLY, II (July 1923), 167-70.

17. T. O. Larkin to J. Buchanan, Monterey, July 10, 1845, Monterey, Consular Letters (MSS in Archives, Department of State), I.

18. W. S. Parrott to J. Buchanan, Mexico, September 2, 1845, Mexico, Despatches (original MSS in Archives, Department of State), XII.

19. Cleland, *op. cit.*, pp. 88-89.

20. There can be no doubt but that Larkin's letter was the decisive factor. In a private letter to Louis McLane, Minister to Great Britain, dated Washington, October 14, 1845, Buchanan made clear the great importance attached to Larkin's dispatch of July 10, 1845. Polk Papers, 1st series, Vol. 73. See also Buchanan's instructions to Larkin, October 17, 1845.

21. The frequent references to the President in the Larkin and Slidell instructions clearly reveal Polk's guiding hand.

22. J. Buchanan to T. O. Larkin, Washington, October 17, 1845, *supra*. In addition, Larkin was instructed to keep the State Department informed on the general course of events in California and to send detailed reports on the commerce, resources, and population of California, paying particular attention to the political leanings of certain classes of the inhabitants. It is an interesting fact that on October 2, 1845, a private letter was written to Polk from New York suggesting that the United States install an agent in California to protect American citizens and to thwart English schemes. Whether more than a consular agent was intended is not clear. What effect, if any, this letter had on Polk's policy is not known. Levi D. Slacum [?] to J. K. Polk, New York, October 2, 1845, Polk Papers, 2d series, Vol. 23.

23. G. Bancroft to J. D. Sloat, Washington, October 17, 1845, Sloat Manuscripts.

24. G. Bancroft to R. F. Stockton, Washington, October 17, 1845, quoted in Irving Berdine Richman, *California under Spain and Mexico* (Boston, 1911), p. 529. A copy of the orders to Sloat of October 17, 1845, in the Sloat Manuscripts is endorsed "Recd by Lieut Gillis 16th March 1846 by the Warren," indicating that the Navy Department took care to see that Sloat was informed of his orders before Stockton's arrival. George Bancroft, writing in 1886, says that Gillespie also carried a copy of these orders to Sloat. *Century Magazine*, XLI (April 1891), 923-24. This may be, but it is not likely that Gillespie would risk carrying written orders across Mexico, and he mentions destroying only one dispatch, i. e., the Larkin instructions. A. H. Gillespie to [G. Bancroft], Vera Cruz, December 13, 1845, Area Files, A-11 (original MSS in Office of Naval Records and Library); printed in this QUARTERLY, XVIII (September 1939), 219-22. Gillespie did give Sloat some instructions, probably oral, on his arrival at Mazatlan, but these may have related only to Sloat's supplying a ship to take the agent to California. A. H. Gillespie to [G. Bancroft], Mazatlan, February 11, 1846, Area Files, A-9 (original MSS in Office of Naval Records and Library); printed in this QUARTERLY, XVII (June 1938), 125-26.

25. J. Buchanan to J. Slidell, Washington, November 10, 1845, Instructions, Mexico, XVI, 1-22. Although Slidell's instructions are dated several weeks after October 17, it is likely that the decision to have him cooperate with Larkin was made at an earlier date.

26. J. Buchanan to T. O. Larkin, Washington, October 17, 1845, *supra*. It is to be noted that no mention of Frémont is made in these instructions. If, on October 17, it had been decided that Gillespie was to order Frémont to aid in carrying out the instructions, it would have been strange if their fellow agent, Larkin, to whom the instructions were directed, had not been informed of the existence of this third agent.

27. Concerning Gillespie's Spanish see T. O. Larkin to W. A. Leidesdorff, Monterey, April 19, 1846, Leidesdorff Papers (original MSS in Henry E. Huntington Library and Art Gallery, San Marino), No. 124. A possible but very far-fetched clue to political reasons for Gillespie's appointment may be found in the fact that in July 1845, a "Mr. Reckless of New Jersey, long known . . . as a gentleman who has taken a zealous part

in the struggles of the republican party," desired an interview with the President. H. D. Gilpin to J. K. Polk, Philadelphia, July 16, 1845, Polk Papers, 2d series, Vol. 18. Joseph W. Reckless, of Reckless Town, New Jersey, was Gillespie's guardian.

28. A. Henderson to A. H. Gillespie, Washington, October 18, 1845, Letter Book No. 3 (MSS in office of the Major General Commandant, U.S.M.C.), p. 622.

29. G. Bancroft to A. H. Gillespie, [Washington], October 18, 1845, Letters to Officers of the Marine Corps (MSS in Office of Naval Records and Library), No. 5, p. 386. Gillespie had intended to reach New York in time to do business on Saturday, October 18. With such intention, it is very unlikely that he left Washington after the Navy Department offices opened on that same morning.

30. For a demonstration of the close friendship between Bancroft and Hooper, see S. Hooper to G. Bancroft, Boston, October 1, 1845, G. Bancroft Papers (MSS in Massachusetts Historical Society, Boston). Samuel Hooper, the son of a European and West Indies merchant, was born in Marblehead, February 3, 1808. After making several far-flung commercial voyages, he became a junior partner in Bryant, Sturgis & Co. when twenty-five years old. In 1841, he joined William Appleton to form William Appleton & Co., and seems to have been the most active of the several partners. During 1851-54, and again in 1857, he was a member of the state legislature. In 1860, he was elected to the United States House of Representatives where he served with prominence for about fourteen years. He died in Washington in 1875. "Explanatory Resumés of the Manuscript Collections of Business Papers in the Treasure Room, Baker Library" (MS in Library of the Graduate School of Business Administration, Harvard University, Boston). It is interesting to note that when the Government, in 1846, needed ships to transport troops and supplies to California, Bancroft proffered Hooper the chance to supply one and even offered to let Hooper see the bids of New York firms, which were lower than Hooper's. The *Loo Choo* was furnished by Hooper's firm.

31. G. Bancroft Papers. "Mr. Sturgis" is probably William Sturgis, a prominent Boston merchant, friend and frequent correspondent of Bancroft's.

32. S. Hooper to G. Bancroft, Boston, October 21, 1845, Area Files, A-11.

33. Wm. Appleton & Co. to H. Mellus, Boston, October 21, 1845, Letter Book (1845-1848) William Appleton & Co. (MSS in Gordon Dexter Collection, Library of the Graduate School of Business Administration, Harvard University).

34. Wm. Appleton & Co. to H. Mellus, Boston, November 10, 1845, Letter Book (1845-48) William Appleton & Co.

35. A. H. Gillespie to G. Bancroft, New York, October 20, 1845, and October 23, 1845, Area Files, A-11; printed in this QUARTERLY, XVIII (September 1939), 217-18.

36. G. Bancroft to A. H. Gillespie, [Washington], October 25, 1845, Area Files, A-11; printed in this QUARTERLY, XVIII, 218-19.

37. McCormac, *op. cit.*, pp. 385-86.

38. Polk, *op. cit.*, I, 67-72.

39. For the text of the two Buchanan letters and full arguments for the thesis set forth in this paragraph, see Josiah Royce, *California, from the Conquest in 1846 to the Second Vigilance Committee in San Francisco* (Boston, 1886), pp. 142-47.

40. J. C. Frémont to [T. H. Benton], Sacramento River, May 24, 1846, in *Niles' Register*, November 21, 1846, pp. 190-91; also in this QUARTERLY, VI (March 1927), pp. 89-90; and 30th Cong., 1st sess., S. Exec. Doc. 33, p. 373.

41. T. H. Benton to [J. K. Polk], Washington, November 9, 1846, in *Niles' Register*, November 14, 1846, pp. 173-74.

42. T. H. Benton to J. Buchanan, [Washington, February 18, 1848], J. Buchanan Papers (original MSS in Historical Society of Pennsylvania, Philadelphia). "Gen^{l} Cass has shewn me your note, & the draft of the letter to Mr. O. Larkin [sic]. . . . I do not

think it necessary, nor desirable, to publish the instructions, nor in fact, any part of them." See also Richard R. Stenberg, "Polk and Frémont, 1845-1846," *Pacific Historical Review,* VII (September 1938), 211-27.

43. For an illustration of Benton's aversion to war with Mexico, see Polk, *op. cit.*, I, 375-76. Benton also later clearly stated that Frémont had no orders to force a revolution in California. (See note 45.)

44. J. Buchanan to J. C. Frémont, Washington, November 3, 1845, in the Jefferson City, Mo., *Inquirer*, May 6, 1848, and elsewhere.

45. 30th Cong., 1st sess., S. Reports of Committees, 75, pp. 12, 30. It is not the purpose of this paper to present the arguments in favor of the position that Frémont was not ordered to stir up a revolution in California. However, for a new piece of evidence in this regard, see T. H. Benton to J. Buchanan, [Washington], July 20, 1848, J. Buchanan Papers. Frémont has been "alluded to on the floor of the House as an 'emissary' sent by the government to excite revolt in California in time of peace. . . . To go before Congress now for compensation would be to give a pretext for repeating such aspersions. He cannot consent to furnish any occasion or pretext for such injustice to himself or the administration." Also, in his letter to Buchanan of February 18, 1848, *ibid.*, Benton states that Frémont found foreign designs on California to be more dangerous than they were known to be in Washington and that they required "a remedy of a much stronger kind than the government contemplated."

46. Polk, *op. cit.*, III, 394-95. "A false impression is being attempted by the opposition in Congress . . . to the effect that this letter to Mr. Larkin contained instructions to produce a revolution in California before Mexico commenced the War against the U. S., that Col. Fremont had the authority to make the revolution. The publication of the letter will prove the falsehood of such an inference." It is possible that the main object of Gillespie's making contact with Frémont was to secure any late information the explorer might have on conditions in California. This possibility is borne out to some extent by A. H. Gillespie to [G. Bancroft], Monterey, April 18, 1846, Area Files, A-9; printed in this QUARTERLY, XVII (June 1938), 135-40. Gillespie says that he will follow Frémont and "should I obtain from him any thing of importance, will send a courier across the Southern country as you directed." Various letters written by Frémont in May and June 1846, in which the explorer states his peaceful intentions and his plans to return at once to the United States, would seem to bear out the contention that Frémont's participation in the Administration's program in California was not to be very active or of long duration.

47. Polk, *op. cit.*, I, 82-84.

48. A. H. Gillespie to G. Bancroft, Mexico, January 16, 1846, Area Files, A-11; printed in this QUARTERLY, XVIII (September 1939), 222-28.

49. A. H. Gillespie to G. Bancroft, Mazatlan, February 11, 1846, Area Files, A-9; printed in this QUARTERLY, XVII (June 1938), 125-26.

50. A. H. Gillespie to G. Bancroft, Vera Cruz, December 13, 1845, Area Files, A-11; printed in this QUARTERLY, XVIII (September 1939), 219-22.

51. J. Buchanan to T. O. Larkin, Washington, November 1, 1845, Larkin Documents, III, 362; printed in this QUARTERLY, V (September 1926), 297-98.

52. G. Bancroft to A. H. Gillespie, [Washington], November 1, 1845, Letters to Officers of the Marine Corps, No. 5, p. 387.

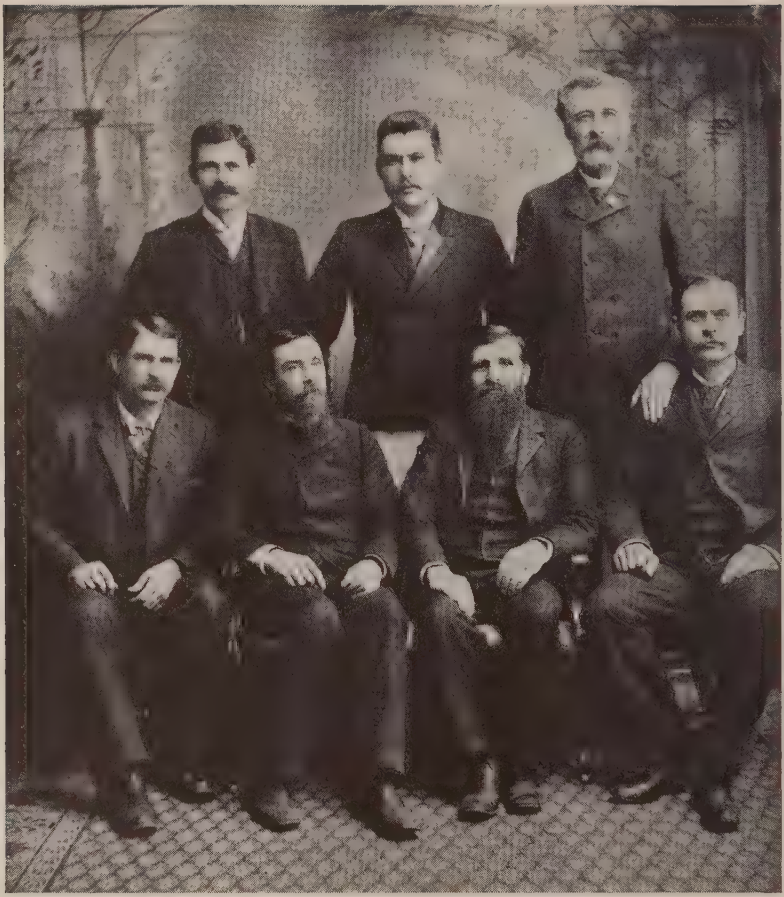
53. G. Bancroft Papers.

54. G. Bancroft to S. Hooper, [Washington], November 12, 1845, and G. Bancroft to W. Appleton & Co., [Washington], November 12, 1845, G. Bancroft Papers; W.

Appleton & Co. to A. H. Gillespie, Boston, November 14, 1845 (two letters), and I. H. Wright to W. Appleton & Co., Boston, November 24, 1845, Gordon Dexter Collection; W. Appleton & Co. to G. Bancroft, Boston, November 14, 1845, Area Files, A-11; and S. Hooper to G. Bancroft, Boston, November 18, 1845, Miscellaneous Letters, November 1845 (MSS in Office of Naval Records and Library, Navy Department), No. 76.

55. G. Bancroft to A. H. Gillespie, [Washington], November 12, 1845, G. Bancroft Papers.

56. A. H. Gillespie to G. Bancroft, Sandy Hook, November 16, 1845, Area Files, A-11; printed in this QUARTERLY, XVIII (September 1939), 219.



POPULIST MEMBERS OF CALIFORNIA ASSEMBLY, 1893

W. A. Vann
Colusa County

H. J. T. Jacobson
Fresno County

Arnold Bretz
Alameda County

Massey Thomas
Santa Clara County

P. R. Adams
Santa Cruz County

C. F. Bennett
Orange County

C. A. Barlow
San Luis Obispo County

From a photograph in the possession of Mr. Harold F. Taggart

The Senatorial Election of 1893 in California

By Harold Francis Taggart

THE LEGISLATURE chosen by the voters of California in November 1892 was to meet in January 1893 to elect a successor to United States Senator Charles N. Felton, Republican. In addition to the traditional parties, Republican and Democrat, the People's party ran candidates in many legislative districts. This was the first adventure into politics of this third party. The party was made up almost exclusively of farmers, who, under the pressure of low prices and high interest charges, sought relief, but despaired of help from either of the major parties. With missionary zeal they entered the campaign on a platform demanding social and financial reform. The Populists claimed former Republicans in greater number than Democrats. For this there were two reasons. The People's party was better organized and the Farmers' Alliance more powerful in those agricultural areas to which the immigration of the boom years, 1886-1889, had brought many Republicans from the Midwest, who could vote Populist rather than Democrat with less pressure on the conscience. Second, the Democrats offered more hope on the money question than did the Republicans. Farmers in California were sympathetic toward free silver and looked upon the Sherman Act of the Republicans as a feeble compromise.

Eight Populists were elected to the assembly, largely through the help of Democratic politics and Democratic votes. Stephen M. White, lawyer of Los Angeles and an avowed candidate for United States senator, played an important part in the fusion between the two parties of opposition, Democrat and Populist, at the November election. White realized that Populism had made greater inroads upon the Republican party than upon the Democratic party in the southern counties, where normally since 1886 Republicans had polled majorities. He had gained, after a struggle, the Democratic endorsement for Marion Cannon, Populist candidate for Congress in the Sixth District. Cannon, a farmer of Ventura County, had been the promoter and organizer of the Farmers' Alliance in California and was its first president. He had also presided in October 1891 at the convention in Los Angeles at which the People's party had been launched. Dr. Stephen Bowers, Populist editor of Ventura, had figured prominently in the negotiations between White and Cannon. White had also prevailed on an old friend, Thomas J. Kerns, Populist, to run for assemblyman in the Seventy-Second District, a district normally Republican. Kerns had been endorsed by the Democrats of that district. White had also been instrumental in the Democratic endorsement of C. F. Bennett, Populist candidate for the assembly from Orange County. In Santa Cruz County, White's brother had swung the Democrats to P. R. Adams, of Bonny Doon. Aaron Bretz, Populist, had been endorsed by the Democrats of Alameda County, who had taken the precaution to exact a pledge from Bretz that he would support the nominee of the Democratic caucus "if not possible to elect the People's party nominee." Massey Thomas, Populist of Gilroy, had also been endorsed by the Democrats of Santa Clara County. W. A. Vann, Colusa County, and H. J. T. Jacobsen, Fresno, Populists, had been endorsed by Republican county conventions. The only Populist elected to the assembly on a straight Populist ticket, was Charles Barlow, San Luis Obispo County.

The representation in the two houses was as follows:

Party	Senate	Assembly	Total
Democrats	18	41	59
Republicans	22	29	51
Populists		8	8
Non-Partisan (T. W. Burke, San Francisco)		1	1
Independent (W. H. Carlson, San Diego)		1	1
	40	80	120

Since the Republicans controlled the senate and the Democrats the assembly, a choice by vote of the two houses, acting independently, was impossible. In a joint assembly the Democratic nominee was assured of fifty-nine votes, two short of the necessary majority. In the weeks following the election the papers were full of speculation concerning the coming choice in the legislature and there was fevered correspondence by the various candidates.[1]

There were two strong candidates for the nomination of the Democratic caucus, William Foote, of Oakland, and Stephen M. White, of Los Angeles. The latter had the edge in that he already had the pledges of most of the Democratic representatives from the agricultural districts. He also thought he could count on a few of the Populist votes. This he had been promised by Dr. Bowers.[2] Two steps were necessary: first, to win the caucus nomination; second, to win two additional votes from the Populists or the two independents, Burke and Carlson. In his endeavor to win the nomination White engaged in a voluminous correspondence. Deals were made with other aspirants; leaders such as E. B. Pond, of San Francisco, and William English, of Oakland, were eliminated by promises of good appointments.[3] Letters to White in the first half of November are full of congratulations, as though the Senator had already been elected.[4] Then the story made the rounds that the Populists were being organized to take advantage of their balance of power. As it became known that Thomas V. Cator, San Francisco lawyer and a leader among the Populists, was "dickering with the Republicans,"[5] White redoubled his efforts. Gavin McNab was his chief intermediary with the large San Francisco delegation. He had written White on November 23, 1892, that "many of these people are for sale. Several informed my friend Hendrickson that a vote for Senator would be worth $2,000."[6] Perhaps it is significant that the copies of letters written by White between September 14 and December 4, 1892, are torn out of the copy book.[7] While there is no positive evidence of actual purchase it is clearly shown in the letters to White that many of the San Francisco assemblymen were holding out for promises of patronage.[8]

White, through friends and direct correspondence, worked on the Populist assemblymen. Kerns had an interview with White in the early part of December but apparently gave no positive pledge; yet White expected his vote.[9] Bennett, of Orange County, was quoted to the effect that he would vote for the People's party candidate "as long as there was a show for his election, that White was his second choice."[10] White urged Democrats from Bennett's district to come to Sacramento. Several Democrats of Fresno wrote that Jacobsen would cast a few votes for the Populist candidate, then swing to White.[11] They intimated that Jacobsen had shown interest in a possible consular position in his native land. Edward White, of Santa Cruz and brother of the energetic candidate, attempted to line up Adams.[12] Massey Thomas, of Gilroy, was considered safe by friends of White,[13] Bretz, of Alameda, despite pressure from the Democrat machine of Oakland and from friendly Populists, refused to pledge his vote to White.[14] The independent assemblyman, Carlson, refused to show any interest in White's battle.[15] But White was assured of one of the two needed votes; T. W. Burke, Non-Partisan, agreed to vote for White on the promise of patronage.[16]

The rumor that Cator hoped to bring Republicans to vote for him did not concern White, if we can accept at face value his statements on this point. He wrote, on December 29, to W. J. Broderick that ". . . there are a dozen Republicans who would never vote for Cator. They would prefer Jeff Davis."[17] He figured on sectionalism which would lead southern Republicans to vote for a southern Democrat if San Francisco Republicans voted for a San Francisco Populist. Or enough Republicans could be persuaded to absent themselves to give the fifty-nine Democrats a majority in the joint assembly. A rumor in December that Cannon, who had been elected to Congress as a Populist with Democratic endorsement, was fishing for support, caused little concern to either White or the Populists.

White went to San Francisco on December 11 and remained there until December 30, during which time he secured the pledges of most of San Francisco's delegation. When he moved on to Sacramento his strength was so apparent that Foote withdrew on January 1. But by that time the papers were filled with references to the "solid eight," the "faithful eight," and the "firmness of the Populist ranks," referring of course to the eight Populist members. That one vote seemed further away than ever. White wrote to William J. Bryan, January 2, asking him to urge Populist representatives to use their influence with California Populists.[18] He also appealed indirectly to James B. Weaver, who replied that he had promised Cator his assistance, but that if the Populist candidate could not be elected, then, he said: "our friends should by all means throw their strength to a free coinage Democrat."[19]

When the legislature convened on January 2, 1893, White was in an awkward position. On the first day at the Capitol he wrote to Dr. Bowers that Cannon must be there to offset Cator's efforts to organize the Populists against him; that unless he received a portion of the Populist vote it would justify the attitude of many Democrats who had opposed fusion.[20] In a plaintive letter to H. C. Dillon (elected as a Populist with Democratic endorsement to the office of district attorney of Los Angeles County) he pointed out that he needed Populist votes to meet the "I told you so" attack of certain Democrats.[21] As the days of January rolled by the newspapers outlined many possible outcomes. In addition to the possibilities suggested above, one rumor had it that James McGowan, Republican, of San Francisco, and H. B. Miller, Republican, of Alameda, would be challenged and their Democratic opponents be seated by the Democratic assembly. But with contested elections to be settled by a Republican senate, this angle afforded slim hope.

Meanwhile Populists had been writing letters, especially Cator, John S. Dore, and Colonel J. S. Barbee.[22] Dore had been at the forefront of the Alliance movement. He was a man of intense feeling, had honestly foresworn allegiance to his old party as one of corruption and now was fighting for the principles of Populism. The same could be said of Barbee, state secretary of the Farmers' Alliance. In Cator's case, he was organizer of this campaign; it was typical of his energy and audacity. He was fully in sympathy with the ideals of the party, but he was also ambitious. He had already established his reputation as a convincing orator and as a lawyer; his education and intellectual powers placed him above the political possibilities of the average Populist. While it seemed fantastic, it was not impossible, in the event of a deadlock, that the Republicans would join the eight Populists to defeat a Democrat.

Immediately following the election Dore wrote to Cator, that, in the event the party held the balance of power, he wanted the Populist vote " . . . made solid for all time for Cator . . . the other parties would be compelled to come to our assistance or go to the other party and that will be a little hard and leave its sting."[23] Barlow, one of the eight Populists, wrote a few days later: "If we are seven assemblymen and we hold the balance of power, why T. V. Cator will be the next Senator or we will know the reason why."[24] The same day Dore reported that Cannon was tied up with White.[25]

Dore feverishly wrote to Populist leaders and almost daily to Cator. On November 20 he assured Cator that Jacobsen was solid and suggested a quiet meeting.[26]

Cator had appealed to national leaders. Annie Diggs, from Topeka, wrote to each of the assemblymen and was instrumental in urging other national figures in Populism to write.[27] Massey Thomas sought some advice from Cator in the preparation of certain bills and assured Cator that though elected with Democratic support, he intended to "keep in the middle of the road."[28] But a cloud began to take form, when Dore reported on November 28 that the *Porcupine*, Populist weekly of Los Angeles, was "full of treason."[29] The next day J. L. Gilbert, president of the state Alliance, sent positive assurance that Bennett "was all wool and a yard wide," but that he had heard nothing positive about Kerns.[30] Dore, December 1, told of the call by E. M. Wardall, state chairman of the People's party, for a meeting of the executive committee, then added apprehensively: "I am half inclined to believe that Cannon's boom is not wholly wind and I think it more than likely Wardall knows about it."[31] The same day the *Golden State*, Populist paper of Stockton, wrote that Cannon was writing letters to all parts of the State to say that he was urged to run for the United States Senate, but that he could not possibly accept.[32] Jesse Poundstone, of Grimes, Populist national committeeman, wrote to Cator on December 1 that he favored the election of a Populist senator, but how? "Eight men can't win an election."[33]

The cloud began to cast its shadow across Populist unity, when the Ventura *Observer*, Dr. Bowers' paper, argued that southern California was entitled to the senator and that the choice was White or Cannon.[34] Realizing the pressure that Democrats would exert on Populist members, Dore began to cast about for the means of sending "good men" to Sacramento.[35] B. W. Batchelor, Populist leader in Los Angeles County, told Cator of Kerns's visit to his (Batchelor's) shop: "I laid the matter before him in good shape and find that he is O. K. He said, 'I am a People's party man in this fight and will stand by the party though I am personally friendly to Mr. White.' The idea of your candidature meets with the hearty approval of all our people down here."[36] But Kerns's own statement was not convincing. He wrote to Dr. George Gillespie, secretary of the state committee, that he knew of only one candidate, White, that he favored a senator from the south, but that he was "not in any way pledged to any man for anything," and would remain unpledged until he reached Sacramento.[37] This letter Gillespie immediately forwarded to Cator.

The members of the Populist executive committee and others met in San Francisco on December 8 and 9, and unanimously adopted the following resolution:

> Whereas the People's Party is a national party and its purposes cannot be accomplished except by possession and control of the national government by People's Party

> men, therefore the Executive Committee of the State Committee, in session assembled, do hereby resolve and declare that all members of the legislature nominated by the People's Party received such nominations and were elected as straight People's Party representatives and owe no allegiance to any other party; . . . .
>
> Resolved that this committee does hereby request the members of the legislature nominated by the People's Party to act and vote as a unit for such People's Party candidate as a majority of them shall choose for United States Senator and continue so to vote.[38]

Four assemblymen, Bretz, Thomas, Jacobsen, and Vann were present and agreed to vote as instructed, and it was reported that written pledges had been received from the absent representatives.

By the end of December it was apparent that Populists could not count on Cannon. Dore said that he had "smoked him out."[39] Dr. Bowers tried to explain matters to Colonel Barbee:

> Neither myself or Mr. Cannon can look upon your advice to the eight members of the legislature as anything short of political suicide. . . . But for Mr. White we would probably not have a congressman from California. Now to set ourselves up sniffing the air, and tying up the legislature to give Markham [H. H. Markham, Republican governor] a chance to appoint Mike deYoung would simply bury our party in California. We owe a debt of gratitude to White which we ought to pay in the event we cannot elect our own member. . . . With White and Cannon in Congress they would accomplish something in the way of legislation, but with a Republican, even a Populist Senator, Cannon would be shorne of his strength and the Senator would be a nullity. . . . A half loaf is better than nothing.[40]

Dr. Bowers chose to overlook the fact that White's help had been given only in those districts which would have returned Republicans, and that his entire strategy was to benefit White. Colonel Barbee passed the letter on to Dore, with the note: "He Cannon has been promised something, what think you? He can take his ½ loaf and go to the devil with it and I'll starve or get mine, half or all, legitimately."[41] And Dore sent both letters to Cator. Even so, Colonel Barbee still hoped that Cannon would not fail them and replied to Dr. Bowers that the Populists owed White nothing, that they ". . . beat the Rep. in 1892 and must beat the Dem. in 1894."[42]

Meanwhile Cator had been fishing in other political pools. In reply to his letter, Major E. R. Merriman, the commandant of the Veterans' Home wrote: "I shall be at Sacramento in the interest of the state V. H. and when there will pull every string I find open for you and your interest. Judge Waymire will be your staunch friend and I have the pledge of a good Dem. Senator that in case of a deadlock he will switch to you. Now buckle on your armor and put on your best war paint."[43]

Just after Cator left for Sacramento, on December 30, James Waymire, a prominent Republican Judge of San Francisco, sent this note on to him:

> Since I left you this evening I have had a talk with two Republican members of the legislature and several very prominent members of the party who are not members. I urged the propriety and good policy of supporting you for Senator and found them ready to acquiesce. It is not difficult to show members of our party that there is less

> difference between the principles of the Republican party and those of the Populists than between those of the old parties. They are naturally anxious to defeat the Democrats. If your people will stand firmly behind you you have a good chance of election.[44]

At Christmas time Cator received from R. M. Widney, Republican banker of Los Angeles, a letter which said in part: "I have taken the liberty to give letters of introduction to members of the legislature for you from this county. You will find them clean, honest men having at heart the good of the masses. While elected as Republicans they are Americans of the right type and will be valuable in any good work for the common good."[45] One must read between the lines and with an appreciation of the anti-Catholic influence which cropped out periodically in California. White's Catholic religion was well known. It will be recalled that Cator had been the American party candidate for Congress in 1890. When C. M. Simpson, one of the Republican assemblymen of Los Angeles, presented his letter of introduction to Cator, probably about the first of January, Widney had written that ". . . you will find him an *American*, broader than party."[46] While the religious question did not come to the surface at Sacramento, it would seem that, in the event party lines broke down, Cator could count on several Republicans, who, whether A. P. A. men or not,[47] were anti-Catholic.

Meanwhile, Dore sought to work another angle. He had M. McWhorter, at Selma, write to Senator H. C. Wilson, of Corning, urging Wilson to stay out of the Democratic caucus. The Senator was a popular Farmers' Alliance man. His reply gave a peculiar twist to the situation: "I am so opposed to lawyers that I cannot say whether I could ever get to the point of voting for one for U. S. Senator. Foote is now out of the fight and some of my friends are now urging me to enter the fight." In a postscript Wilson asked for the Populist votes after Cator had had a fair chance.[48] The Democrats were uneasy about Wilson, knowing the pressure that the Populists, all good Alliance men, exerted upon him. J. L. Gilbert, president of the state Alliance, promised, on January 2, that Cator should have the backing of that organization to the limit.[49]

It was apparent that while White, following Foote's withdrawal, had a possible sixty votes, it was also possible that with a firm attitude on the part of the eight Populists, a wide open contest might develop. Even the Democratic *Evening News*, of Sacramento and a White supporter, said on December 30: "It need not surprise anyone to hear that the successor to Senator Felton is to be Thomas V. Cator, Populist lawyer and capable man."[50]

Cator established headquarters at the Capitol Hotel in Sacramento, and it was there on the afternoon of January 1 that seven Populist assemblymen (Jacobsen had not yet arrived) signed a pledge to stand by their candidate from first to last, and when principles of the party were involved to act as a unit and to be governed by the will of the majority of the caucus.[51] Cannon arrived that morning and after a long talk with White went to the Populist headquarters, where he found them still in caucus. According to the *Examiner*, Cannon, having been advised of the agreement, "declared his fealty with the Populist organization once more." The same story in the *Examiner* spoke of Kerns's ". . . positive statement, that though friendly to White, he is pledged to vote with the Populists on national issues and will not betray them."[52]

The legislature met at noon, January 2. That night the Populists agreed upon a slate of candidates for officers in the assembly. The next day they cast eight votes for each of these names.[53] In the days that followed, the Populists commanded not only the attention but also the respect of everyone. The papers spoke of the "Big Eight," the "Solid Eight," the "immovable Phalanx," etc., and constantly ran stories of the loyalty of the eight men to the party's candidate.

On January 7, the Populists received a wire from General Weaver: "Millions of true hearts expect the eight to stand by their guns and receive the fire of the plutocrats without a quiver."[54] H. E. Taubeneck, chairman of the national committee, Annie Diggs, and Paul Vandervoort, national commander of the Industrial Legion, and others wrote to each assemblyman, to urge him to stand fast. Cannon continued to argue that, after a vote or two for Cator, the Populists should then cast their votes for White. Somewhat suspicious of Kerns, even though he acted regularly with the others, the Populists of the State continued to pound away, primarily for Kerns's benefit. Secretary Barbee drafted a form letter, which was sent to every Alliance in the State, demanding the election of a man sympathetic with Alliance principles. These and similar resolutions poured into Populist headquarters at the Capitol Hotel from Alliances and from county committees of the People's party. Batchelor sent to Kerns resolutions adopted by the Los Angeles committee, together with a letter in which he said: "I know full well the pressure to bear on you to vote for Mr. White and feel that you should have the assurance . . . that our party in this county request, if it were not harsh, I would say, demand, that you follow their instructions."[55] The assemblymen were deluged by letters. Several leaders went to Sacramento to offset Cannon's influence.

The quarterly meeting of the Sacramento Alliance was held on January 10, and to the surprise of John Dore, Cannon put in an appearance and tried to justify his position. Cannon, as noted above, had furnished the zeal and the energy in the organization of the Farmers' Alliance in California and had been its first president. Now, for the first time in his experience, he failed to receive a favorable response in an Alliance meeting.[56] Resolutions were adopted asking the eight men to hold fast for Cator.[57] The evening session was turned into a Populist rally with speeches by W. A. Thompson, editor of San Francisco's *People's Press*, Vann, Gilbert and Bennett. Each denounced as traitorous any other vote, than first, last, and all the time for

Cator. H. C. Wilson, called on to speak, responded with a short talk but avoided party issues.

The Democrats caucused in the evening of January 5. On the first ballot White received 46 votes, Wilson 7 and Jerry Lynch 6. On motion of Bert Schlesinger a unanimous vote was cast for White. The Republicans met on January 10. Several members wanted a committee to attempt to win over the Populists, but the proposal was voted down. Senator Tirey Ford said that White had the fight won, that Kerns was pledged to him and that Jacobsen would vote for White when necessary.[58] The Republicans took no vote on a party nominee. The eight Populists formally selected Cator as their candidate on January 12.

The approaching election of a board of trustees for the State Library likewise produced much political jugglery. The Democrats arranged a slate favorable to the librarian, Dana Perkins. The Republicans and Populists agreed upon a ticket of three Republicans and two Populists, in an endeavor to oust Perkins and the assistant librarian, W. S. (Sam) Leake.

Finally the day of balloting arrived, January 17. After a flood of laudatory nominations, the vote in the assembly was taken: White, 42; *Cator*, 8; George C. Perkins, 8; C. N. Felton, 6; R. M. Widney, 4; and six scattered. The Populists were solid for Cator; Burke voted for White, and Carlson for D. C. Reed. In the senate the ballot showed: White, 18; Perkins, 6; Felton, 7; Thomas R. Bard, 5; R. M. Widney, 3; and F. C. Franck, 1.[59] Every member in each house was present and voted. On a joint ballot White was still short of the majority by one vote.

The next day the legislature met in joint assembly. The hall was packed. W. W. Foote, Jeremiah Lynch, and other prominent Democratic leaders were inconspicuous in the crowd that squeezed into the aisles. While the joint assembly was gathering, Carlson, the Independent, called Cator's attention to the fact that Cannon had just approached Kerns at his desk and that Kerns had left the chamber and had gone to the State Library where he was seen in conversation with John Gaffey of San Pedro. No one seemed to note that James McGowan, Republican assemblyman from San Francisco, and G. G. Goucher, Democratic senator from Napa, failed to answer to roll call. Goucher was sick at the time in Sam Leake's office. The office, which was a floor higher and in a wing, overlooked the assembly and was headquarters for White's board of strategy, headed by John Gaffey, Sam Leake and Robert P. Troy. The Democratic slate for Library trustees was elected, as each of the five candidates received two or more Republican votes and the solid Democratic vote.[60] Following a brief adjournment the assembly reconvened and rolls were called again. McGowan and Goucher were absent. Then followed more tedious and tiresome nominating speeches, during which the crowd grew audibly restless. Assemblyman A. J. Bledsoe, of Eureka and an Alliance man, noted McGowan's absence and moved for a call of the house, seconded by Carlson and Barlow. This motion was defeated by a vote of 59 to 60. Burke voted with the Democrats to defeat the motion, and Goucher's vote was counted among those in opposition, though just who cast the vote is uncertain. Sam Leake asserted to the writer that Goucher was too far gone and that when Goucher's name was called, a fellow Democrat called "nay." The Senator had been so indisposed in the morning that the council of war had despaired of his vote but had wheeled him into the chamber on a stretcher as the vote was being taken.

Then the balloting began. The senate vote followed that of Tuesday. Goucher's vote was among the eighteen for White. The assembly vote followed that of Tuesday until Kerns's name was reached. When he called "White" the chamber became a bedlam. He was picked up bodily by cheering Democrats and jostled around the hall. After several more minutes the vote was completed. Before the totals were announced Aaron Bretz, Populist of Alameda County, jumped to his feet, on the pretext that he was to change his vote. Instead he made a rambling speech about party pledges and attacked Kerns and Cannon, concluding with the shout: "We believe that this change was brought about by the corrupt use of money and we believe that Marion Cannon is the negotiator." Cannon, who had been seated in the front row of the balcony, jumped to his feet and shouted back, but all that could be heard above the confusion was something to the effect that Bretz was a liar.[61] Eventually the result was announced: White, 61 (one more than the necessary majority); Cator, 7; and the Republican vote scattered. White, escorted to the chair, made a "fervid" speech in which he defended and thanked Cannon and Kerns.

Sidelights brought out later show the concern of the Democratic leadership up to the last minute. With McGowan absent[62] (by arrangement) the 60 votes (of the 59 Democrats plus Burke), being a majority of 119, were sufficient to insure the election of White without Kerns's vote. Then Goucher's sudden indisposition on the morning of the eighteenth complicated things for the strategy board. The dramatic way in which Goucher's ballot was cast indicates the uncertainty about Kerns.

That evening the Populists drew up a long statement which, after reviewing the details of the "treachery" of Cannon and Kerns, read them out of the party.[63] As Dore had prophecied weeks earlier, Cannon and Kerns "caught fits," from all parts of the State. Bitter statements appeared in the Populist newspapers, the *Western Watchman* (Eureka), the *Tulare Valley Citizen*, the *Golden State*, the Los Angeles *Leader*, and others. *The Fair Play* (San Francisco) in defending Bretz said: ". . . there is no man in California today who would not rather be Bretz than Cannon or Kerns."[64] County Alliances passed resolutions denouncing the two men as traitors. Kerns at the end of the session and Cannon after two years in Washington, during which time he voted with the Cleveland Democrats, passed unnoticed out of the political limelight.

Meanwhile the Bretz affair attracted much space in the papers. The assembly, on January 19, set up a committee to investigate Bretz's charges. Eighty pages of testimony were taken.[65] Cator was counsel for Bretz. It was soon brought out that Bretz had no proof of bribery, and the investigation wandered more or less aimlessly. Cannon testified that, when he approached Kerns on the morning of the eighteenth, he said: "Mr. Goucher is sick and will probably not be here to vote today and therefore Steve White cannot be elected today."[66] He said he thought Kerns would then cast his vote for Cator. But Kerns's statement differed. He reported that Cannon said: "Mr. Goucher is sick and will not be here today and do not let those fellows bull-doze you any more."[67] Kerns also testified that when he told the Populists early in the morning that he was going to vote for White, it was because he was tired of the treatment that he had received from Bretz. Adams testified that at 11:00 A. M., Kerns promised him, by their "common religion," to stick with the Populists that day, but after Kerns returned from the library he told Adams that White was to get his vote.[68] Jacobsen told how he had been invited into the library before Kerns and there, amid hints of patronage and favors, had been informed that it was to his advantage to vote for White. Adams, Jacobsen, Massey Thomas, and Bretz told of vague overtures made to them by the Democrats in the early days of the fight.

Chairman T. W. H. Shanahan reported on January 24 that the committee found "not the slightest evidence that money or any corrupt means" were used to secure the election and recommended that Bretz be expelled. Vann, a member of the committee, concurred in the report except as to the expulsion. On January 30, the Assembly, after much jockeying, voted not to expel but to censure Bretz and suspend him for one week.[69]

To sum up, promises of patronage and hints of appointments had been offered to the Populists off and on during the days preceding the election. The Democrats were hopeful of Kerns's vote, but could not count on it because of his vacillation. Having arranged for McGowan's absence, White was sure of the election by a majority of one, without the vote of Kerns. But Goucher's illness spoiled all this. Hence the last minute efforts to secure Jacobsen or Kerns. The latter probably saw Goucher when he spoke to Gaffey in the library, and resentful of all the Populist pressure on him, returned to the assembly to cast his vote as he originally had hoped to do—and thus elect White by his one vote. There undoubtedly was no money involved so far as Kerns was concerned. In the case of Cannon, whose ideals would not have countenanced bribery, patronage and a personal obligation to pay his political debt to White, together with a life-long prejudice for the Democracy in his Virginia blood, account for his action.

There were several consequences of this spectacular fight. White, on

February 1, wrote to D. M. Baker: "Some of the Populists hereabouts but by no means the majority of them, but the crankier portion, are giving Cannon and Kerns fits, but when they drive Cannon out of the party there will be little of it left."[70] However the senatorial fight had two very significant effects on Populism in California. First it united the ranks as nothing else had done. Immediately following the November election, Populism was ready to disintegrate. Then as the fight to stand solid for the party's candidate developed, Populists found a sense of loyalty and unity; they had a symbol around which they gathered. Though a few might sympathize with Cannon, because of their own immediate ambitions, the rank and file gained new strength. The attention that was given to the party in the press and the respect shown by the most partisan of the newspapers produced a feeling of pride and confidence that, having defeated the Republicans in 1892, the party could win from the Democrats in 1894.

Then, too, the party gained what it needed, an aggressive and resourceful leader. Cator resided in New Jersey between 1880 and 1887, where he attracted attention because of his independence in politics, in a period when political advancement depended upon party loyalty. There was scarcely a reform movement from 1880 to 1910 that he did not seek to advance in one way or another. While he was ambitious his sincerity led him to espouse the cause first and the party afterward. As an Anti-Monopolist, with Democratic endorsement, he was elected to the assembly of New Jersey in 1881. In 1882 he was endorsed by the Republicans and re-elected. In the legislature he refused to participate in a caucus of either party. In 1884 he joined the Prohibitionist party and was a delegate to the national convention of that party. He served two terms as alderman, as an Independent, in Jersey City. In 1887, he received the endorsements of four parties, Republican, Democrat, Anti-Monopolist and Prohibition, for re-election. But when a small labor party proffered its endorsement, Cator made a show of his acceptance, boldly advocated the principles of organized labor at a time, when, following the Haymarket riot, labor was under a cloud, and went down to defeat. Following a serious illness he came to California in 1887. He joined the Nationalist movement and gained some fame as an orator in San Francisco. He delivered the oration of the day in connection with the ceremonies of July 4, 1890, a speech that drew two columns of compliment and praise from caustic Ambrose Bierce. He was nominated for Congress in 1890 by the American party. As a delegate to the first national convention of the People's party in Omaha, 1892, and as spokesman for the Resolutions Committee, he read in a most dramatic fashion the platform which was adopted by that convention. He had organized the campaign by which alliances, county committees, and Populist leaders concentrated interest and hope upon party action at Sacramento. After the senatorial fight was over, he was respected as the logical leader and dominated every party action until May 1898.

The events of 1892 and 1893 had definite influence upon the politics of the Republican party in California. The leaders of that party recognized that the third party had made inroads upon Republican agricultural areas and saw the reason in the Populist support of cheaper money. It is no wonder therefore that the Republican party, with many leaders already sold on free silver, began to measure the political expediency of denying to the people of the State what the voters seemed to demand.

But White's election proved more than an immediate victory for the Democracy of California. He was the first representative of California in Washington to create a record that commanded the respect of leaders of both parties. If not California's first statesman in Congress, he certainly was one of the first in time and importance. The position he earned within his own party is indicated by the honors heaped upon him at the national convention in 1896. He refused to be a candidate for temporary chairman against Senator David B. Hill. He was serving as chairman of the Committee on Resolutions when he was called to take the gavel as permanent chairman of the convention.

NOTES

1. The principal source for the Democratic side of this fight, both before the November 1892 election and through January 18, 1893, is the collection known as the White Papers in the California room of Stanford University Library. Senator White made a practice of keeping copies of letters written by himself, in bound copy books. These are referred to herein as the "White Letters," and Vols, XIX, XIX-A, XIX-B, and XX contain letters used in the preparation of this paper. The countless letters received by Senator White are arranged in folders, in chronological order and in alphabetical sequence by authors. These folders are referred to herein as "Letters to White," and Vols. XXIX to XXXIV, inclusive, contain the letters cited in this study. Senator White also gathered newspaper clippings and other memorabilia into a series of scrapbooks. These are cited as "White Scrapbooks."

2. "Continue to do what you can for Mr. Cannon and we will reciprocate." Dr. Stephen Bowers to White, August 16, 1892. Letters to White, Vol. XXIX.

3. See Edith Dobie, *The Political Career of Stephen M. White* (Stanford University: Stanford University Press, 1927), pp. 141-45.

4. Dr. Bowers wrote on November 11, that ". . . the Dem. and P. P. will have enough on joint ballot to elect you." Letters to White, Vol. XXX.

5. J. E. Baker to White, November 28, 1892. *Ibid.*, Vol. XXXI. Baker added, "Cator is in close consultation with English who is trying to work him for Foote."

6. Gavin McNab to White, November 23, 1892. *Loc. cit.* W. Hendrickson was assemblyman from the 42d district, a San Francisco district.

7. White Letters, Vol. XIX-B. The index of names of persons to whom letters were written remains.

8. R. P. Troy to White, November 18, 1892. Letters to White, Vol. XXXI. Samuel Braunhart to White, November 15, 1892. *Loc. cit.*

9. White to George Denis, December 26, 1892. White Letters, XIX-A, 217.

10. Santa Ana *Evening Blade*, December 16, 1892. White Scrapbook, III, 31.

11. J. E. Baker to White, December 23, 1892. Letters to White, Vol. XXXII. W. L. Grady to White, December 29, 1892. *Loc. cit.*

12. Edward White to White, November 19, 1892. *Ibid.*, Vol. XXX.

13. Gavin McNab to White, November 22, 1892. *Ibid.*, Vol. XXXI. J. H. Hicks to White, December 6, 1892. *Ibid.*, Vol. XXXII.

14. M. L. Laymance to White, January 5, 1893. *Ibid.*, Vol. XXXIII.

15. W. H. Carlson to White, November 14, 1892. *Ibid.*, Vol. XXX.

16. R. P. Troy to White, November 14, 1892. *Loc. cit.* Later Burke proved troublesome to White because of his constant pleas for appointments. See Dobie, *op. cit.*, Chapter VIII.

17. White to W. J. Broderick, December 29, 1892. White Letters, XIX-A, 266.

18. White to W. J. Bryan, January 2, 1893. *Ibid.*, p. 283.

19. Charles Whitehead, editor of Denver *Rocky Mountain News*, to White, January 11, 1893, enclosing Weaver's reply to Whitehead. Letters to White, Vol. XXXIV.

20. White to Bowers, December 31, 1892. White Letters, XIX-A, 309.

21. White to H. C. Dillon, January 9, 1893. *Ibid.*, p. 396. He added that ". . . Bennett and Kerns would not have seen daylight" but for him.

22. Mrs. T. V. Cator, of San Francisco, turned over to the author of this paper letters written to Cator between September 1892 and August 1898, the period of the People's party. Among these letters are several written to other Populists, who had, in turn, forwarded the letters to Cator. Cator kept no file of his own correspondence. The "Cator Letters" and "Cator Papers," the latter a miscellaneous collection of Populist and Alliance newspapers and pamphlets primarily on the silver question, have since been presented to Stanford University Library.

23. John S. Dore to Cator, November 13, 1892. Cator Letters.

24. C. A. Barlow to Cator, November 17, 1892. *Ibid.*

25. Dore to Cator, November 17, 1892. *Ibid.*

26. Same to same, November 20, 1892. *Ibid.*

27. Annie Diggs to Cator, November 27, 1892. *Ibid.*

28. Massey Thomas to Cator, November 26, 1892. *Ibid.*

29. Dore to Cator, November 28, 1892. *Ibid.* The *Porcupine* argued for the election of Cannon in the event that White failed to get the solid support of the Democrats. Cator Papers, clipping. Bowers' own paper, the Ventura *Observer*, presented the same argument. The only file of a Populist newspaper the writer has been able to locate is that of the *Tulare Valley Citizen*, W. H. Gilstrap, editor, for the period January 3, 1895, to November 25, 1897, in California State Library, Sacramento.

30. J. L. Gilbert to Cator, November 28, 1892. Cator Letters.

31. Dore to Cator, December 1, 1892. *Ibid.*

32. *Golden State*, December 1, 1892. Cator Papers.

33. Jesse Poundstone to Cator, December 1, 1892. Cator Letters. He did not like the prospect of an appointment by the Republican governor in the event the legislature failed to elect.

34. Cator Papers, clipping.

35. Dore to Cator, December 2, 1892. Cator Letters.

36. B. W. Batchelor to Cator, Los Angeles, December 4, 1892. *Ibid.*

37. Kerns to Gillespie, December 3, 1892. *Ibid.* Kerns expressed his regrets that it was impossible for him to attend the meeting of the state committee on December 8.

38. San Francisco *Examiner*, December 11, 1892, signed by E. M. Wardall, Dr. George Gillespie, George B. Johnson, Jonas J. Morrison, J. L. Gilbert, H. Kelsey, and J. E. Campe and concurred in by the two national committeemen, Jesse Poundstone and H. R. Shaw.

39. Dore to Cator, December 29, 1892. Cator Letters.

40. Bowers to J. S. Barbee, December 30, 1892. *Ibid.*

41. Barbee to Dore, December 31, 1892. *Ibid.*

42. Barbee to Bowers, December 31, 1892. *Ibid.*, copy.

43. E. R. Merriman to Cator, December 16, 1892. *Ibid.* James Waymire was a judge of the Superior Court in San Francisco.

44. Waymire to Cator, December 30, 1892. *Ibid.*

45. R. M. Widney to Cator, Los Angeles, December 23, 1892. *Ibid.*

46. Widney to Cator, December 23, 1892. *Ibid.*

47. The American Protective Association, the A. P. A., was an anti-Catholic organization which entered many local contests and several Congressional campaigns to the extent of endorsing or opposing candidates. It published two or three papers during the nineties. Its members were drawn chiefly from the Republicans.

48. H. C. Wilson to M. McWhorter, January 4, 1893. Cator Letters.

49. J. L. Gilbert to Cator, January 2, 1893. *Ibid.*

50. Sacramento *Evening News*, December 30, 1892.

51. San Francisco *Examiner*, January 2, 1893.

52. *Loc. cit.*

53. *Assembly Journal*, 30th sess. (1893), pp. 4-8.

54. San Francisco *Chronicle*, January 8, 1893.

55. Batchelor to Kerns, January 9, 1893. Cator Letters, copy.

56. "I am surprised that C. went into the County Alliance to be *sat down* on . . . Cannon never tried to get a vote in any Alliance on any subject before, without success. It must have cut him deeply." Dore to Cator, January 12, 1893. *Ibid.*

57. Sacramento *Weekly Union*, January 13, 1893.

58. San Francisco *Call*, January 11, 1893. Later Jacobsen emphatically denied the report.

59. San Francisco *Examiner*, January 18, 1893.

60. *Assembly Journal*, 30th sess., pp. 119-20.

61. San Francisco *Call*, January 19, 1893.

62. Sam Leake asserted to the writer that McGowan was locked up in the belfry of the Catholic Cathedral in Sacramento. McGowan's absence remained a mystery.

63. In all the San Francisco daily newspapers, January 19, 1893.

64. Cator Papers.

65. *Testimony before Select Committee in the matter of Investigation of A. Bretz.* Cator Papers.

66. *Testimony before Select Committee*, p. 25.

67. *Op. cit.*, p. 39.

68. *Op. cit.*, p. 52.

69. San Francisco *Examiner*, January 31, 1893. Speaker F. H. Gould's censure was delivered on February 2. To members of all parties it was more severe than warranted by the circumstances.

70. White to D. M. Baker, February 1, 1893. White Letters, XX, 151.

Dr. C. Annette Buckel, the "Little Major"

By Margaret Elizabeth Martin

MANY OF the eleemosynary achievements in our commonwealth today owe their origin to the leadership of Dr. Cloe Annette Buckel. Many of her greatest services to humanity were accomplished after she came to California. She loved this State and spent thirty-five years of her life in ardent devotion to its welfare.

The years before she came to California to establish her home were filled with a wealth of experiences that developed in her the strength of character which proved so productive in her later life. Her youth was lacking in the affection and understanding that are the birthright of every child. Six months after her birth in Warsaw, New York, on August 25, 1833, her parents died, leaving her to the Buckel grandparents to rear. They passed away soon after her fourth birthday, and this time she was left to the care of two aunts, young ladies of sixteen and seventeen years of age.

In later years when the occasion was fitting, Dr. Buckel, sitting in her armchair by the fireside in her Piedmont home, could be prevailed upon to tell experiences of her early life, which never failed to move her listeners to tears. Her aunts were young, but they were stern disciplinarians and never allowed their young charge to forget what a burden and responsibility she was to them. At six years of age the child Annette frequently used to go behind the barn and cry because she did not have parents like the other children.

However, this early training did not completely daunt her spirits, for at fourteen she left her relatives and went to teach in a rural elementary school in New York State. This gave her an opportunity to observe people, especially as she was boarded around in the various homes of the district in part payment for her services. At fifteen she made up her mind to become a physician. Teaching was not sufficiently remunerative in those days, so young Annette sought employment in a burnishing factory in Connecticut. Here she worked, with a Latin grammar propped in front of her.

By borrowing money on her life insurance, she was able to attend the Women's Medical College of Pennsylvania, in Philadelphia, graduating in 1858. After a year in New York she went to Chicago, where she practiced medicine until 1863.

Dr. Buckel had planned to move to California, but the Civil War had now been in progress for two years and, learning that nurses were needed, with characteristic directness she volunteered her services to Governor Oliver P. Morton of Indiana. In response to her application, he appointed her "to visit

DR. C. ANNETTE BUCKEL

From a photograph presented to the California Historical Society by Miss Margaret E. Martin

and look after the condition and wants of Indiana's sick and wounded soldiers." Nine days later General U. S. Grant issued a pass permitting her to enter and use the facilities of all the government hospitals in the Southwest and free military transportation. It is interesting to note that all communications of military and medical officers as well as of Governor Morton referred to her as "Miss," indicating a reluctance at this period to recognize the title of "Doctor" because she was a woman.

Dr. Buckel entered the service as a nurse, but shortly she assumed the responsibility of selecting women nurses and supervising their activities. In this capacity she exercised excellent judgment and won the high regard of her superior officers, as well as the love and esteem of the soldiers. Finally she was appointed sanitary commissioner for Indiana by Governor Morton. Because of her distinguished service she became known as the "Little Major," a title that she bore with pride the rest of her life.

After her death many letters of recommendation and praise from the highest ranking military officials were found among her possessions. One is quoted here to show how thoroughly she was appreciated by the men with whom she worked.

> Jefferson U. S. A. General Hospital
> Oct. 23d 1865
>
> Miss Annette Buckle [sic] has been on duty in this hospital almost from its commencement as chief of the female nurses.
>
> This has given me an abundant opportunity to learn her value and qualifications.
>
> I have always found her so fair judicious and reliable that I have placed her in the entire Control of all the female nurses of the hospital and I am perfectly satisfied with her administration. She is a woman of much more than ordinary intelligence and education, and is of most excellent and unblemished reputation.
>
> M. GOLDSMITH
> Surgeon in charge

At the close of hostilities, Dr. Buckel became a member of the staff of the New England Women's Hospital in Boston. After ten years there as a resident physician, she spent two years studying in Vienna and Paris.

In 1877, she came to the Pacific Coast and settled down to her medical practice in Oakland, California, but never ceased to devote herself unstintingly to civic and philanthropic causes. She soon made many friends in this community. Her cousin, Washington Bartlett, who was Governor of California in 1887, was her only immediate relative in the West.

Dr. Buckel's interests were varied, but always unselfish. She lost all sense of self in her efforts to help others. She was ever on the alert to lay foundations for work to be carried on for the welfare of others. Because of this her influence has never died, and she is looked upon as the torch-bearer for many worthy activities that have been particularly close to the hearts of women.

In her practice of medicine, she emphasized the importance of prevention rather than cure, an idea very much in advance of her time. She took an active interest in new discoveries and new devices which would facilitate the work in the medical profession and became a prominent member of the Alameda County Medical Association. She also was the author of a number of articles on various phases of medical practice.

Through Dr. Buckel's zealous efforts combined with those of other members of the Home Club (a women's organization of Oakland), a milk commission was established, and in January 1905 the Walnut Grove Dairy began to furnish certified milk to Oakland. From the time of its inception until it passed (in 1909) from the Home Club to the Alameda County Medical Association, Dr. Buckel was president of this milk commission, which was the first in California and the first on the Pacific Coast to exclude tubercular cows from dairies supplying milk to the community.

Due to her endeavors a school of cookery was opened, and this, in turn, resulted in the introduction of home economics into the Oakland public school system.

Her early experiences as an orphan made the welfare of children especially dear to her. As a director of the Mary R. Smith Trust (Mary R. Smith was the wife of F. M. Smith, the "Borax King"), which established a group of cottage homes for orphan girls in Oakland, Dr. Buckel became personally interested in each child.

Her last efforts were devoted to the problem of educating defective children in the public schools. In 1910, she began her advocacy of the establishment of separate departments for defective children in schools and colleges. When she died in Piedmont, in 1912, Dr. Buckel left her estate to Miss Charlotte Playter, of Piedmont, as trustee, to be used to alleviate the condition of feeble-minded children. Miss Playter having decided to contribute $500 annually from the estate, Stanford University in 1914 added $500 to create a foundation for a research fellowship for the study of feeble-minded children. This was the first step of the kind taken in the State of California.

Those who knew her were constantly amazed at the breadth of her knowledge and unflagging interest in intellectual pursuits. Whatever she learned she shared with others. She was especially well versed in astronomy, nature study, and music. She founded the Agassiz Society in order to give her young friends some of the enjoyment she derived from her delvings in nature study. For her older friends she created a Chautauqua Circle in which many useful and inspiring subjects were studied and discussed. She was a charter member of the Ebell Club of Oakland and ably conducted its biology section for five years.

Thus it is seen that Dr. Buckel's name is identified with the pioneer steps of many and diverse movements. She set a standard both for her contemporaries and for those who follow her. Her life was fruitful in deep thinking and good deeds, and when she quietly slipped away on August 17, 1912, the "Little Major" left a legacy to mankind richer than material wealth—an influence that continues to live and to grow.

Recent Californiana

A Check List of Publications relating to California and the West

BOOKS, PAMPHLETS AND BROADSIDES

Bancroft, Anne

The Memorable Lives of Bummer & Lazarus (Citizens of San Francisco) 185?-1865. Los Angeles: The Ward Ritchie Press, 1939. [x] + 26 pp., ill. with reproductions of early lithographic cartoons by Edward Jump. $2.00.

Cook, S. F.

The Extent and Significance of Disease among the Indians of Baja California 1697-1773. Berkeley: University of California Press, 1937. [vi] + 39 pp. (Ibero-Americana: 12) 50 cents.

Costanso, Miguel; Crespi, Juan; and Palou, Francisco

Noticias of the Port of San Francisco in Letters of Miguel Costanso, Fray Juan Crespi and Fray Francisco Palou. In the year 1772. [San Francisco: Windsor Press, 1940] iv + 22 + [2 pp.] Limited to two hundred copies. $3.00.

Dee, Minnie Roof

From Oxcart to Airplane; a Biography of George H. Himes. Portland, Oregon: Binfords & Mort, 1939. 48 + [ii] pp., ill. $1.50.

Gardner, Frances Tomlinson

John Townsend—The Peripatetic Pioneer. [Reprinted from *California and Western Medicine*, Vol. 51, Nos. 3, 4, 5, 1939] 14 pp.

Garner, Bess Adams

Windows in an Old Adobe. Foreword by J. Gregg Layne. Claremont, California: Saunders Press, 1939. [xiv] + 246 pp., ill. $2.00.

Gunthrop, Maude Robson

With a Sketch Book Along the Old Mission Trail. Illustrated with sketches by the author. Caldwell, Idaho: The Caxton Printers, 1940, 146 pp. $5.00.

Hubbard, Harry D.

Building the Heart of an Empire. Edited by James A. Metcalf. Spanish terms, phrases and translations edited by Marie Aldazabal. Boston: Meador Publishing Company, 1938, 318 pp., including ills. $2.50.

Potter, Elizabeth Gray

The San Francisco Skyline. New York: Dodd, Mead & Co., 1939. xvi + [2] + 284 pp.; 23 pp. of photographs and 9 maps. $3.00.

Sandmeyer, Elmer Clarence

The Anti-Chinese Movement in California. Urbana: The University of Illinois Press, 1939. [Reprinted from *Illinois Studies in the Social Sciences*, Vol. XXIV, No. 3] 127 pp. Paperbound, $1.50; clothbound, $2.00.

Tibbitts, Grace Cilley

Rivers of California. San Francisco: Prepared for the National Society of Colonial Dames of America in State of California, 1938, 35 pp.

U. S. Works Progress Administration

Inventory of the County Archives of California. No. 41. San Luis Obispo County. San Francisco: Northern California Historical Records Survey Project, 1939, vi + 524 pp. [Mimeographed.]

Wagner, Henry R.
Commercial Printers of San Francisco from 1851 to 1880. Portland, Maine: Southworth-Anthoensen Press, 1939, 16 pp. [Separate from the *Papers* of the Bibliographical Society of America.]

Wheat, Carl I.
The Forty-Niners in Death Valley (A Tentative Census) 16 pp. [Reprinted from the *Quarterly*, December 1939, of the Historical Society of Southern California.]

ARTICLES IN PERIODICALS

Butler, Lowell
The City where California Began. A cartographic map of the romantic sites of San Diego. In *Westways*, Vol. 32, No. 3, March 1940, pp. 10-19.

California History Nugget
We have recently received several numbers of this publication, the most recent being that for January 1940. These contain many historical articles suitable for schoolchildren. The magazine is published by the California State Historical Association through the California State Department of Education, Sacramento.

Fortune
Politics on the West Coast. In March 1940 issue, pp. 38-53.

Fryer, Roy M.
Pomona Valley before the Americans Came. In Historical Society of Southern California *Quarterly*, Vol. XXI, No. 4, December 1939, pp. 91-101.

Giffen, Guy J., and Butler, Lowell
Adobes of the Old Pueblo [Los Angeles]. In *Westways*, Vol. 32, No. 2, February 1940, pp. 18-19.

Hemming, H. Phipps
Drake's Brass. In *The Trident*, Vol. 2, No. 9, London, January 1940, pp. 22-23.

Hildebrand, J. H.
A History of Ski-ing in California. In *The British Ski Year Book*, Vol. X, No. 20, 1939, pp. 64-78.

Horrworth, H. M.
Dawn of California Civilization. In California State Federation of Labor *Yearbook*, 1938-1939, pp. 13-39.

Hoy, William
The Early Chinese in America. In *The Chinese Digest*, Vol. 6, No. 1, January 1940, pp. 13-14, 19.

Kinyon, Edmund
Old Cemeteries and the Tales They Tell. In *The Morning Union*, Grass Valley and Nevada City, Sunday, January 21, 1940.
Political Life of Gen. James Allen. In *The Morning Union*, Sunday, January 28, 1940.

San Francisco Chronicle
Sunday, January 28, 1940, Jubilee issue, contains much historical material but also many errors.

Saunders, Charles Francis
Frémont Among the Flowers. In *Westways*, Vol. 32, No. 3, March 1940, pp. 12-13.

Taggart, Harold F.
The Party Realignment of 1896 in California. In *The Pacific Historical Review*, Vol. VIII, No. 4, December 1939, pp. 435-52.

News of the Society

The Templeton Crocker Collection of Californiana

By HENRY RAUP WAGNER

IN 1923 Mr. Templeton Crocker, then president of the California Historical Society, deposited his collection of Californiana in a room adjoining the one then occupied by the Society as its headquarters. The collection has ever since remained in the custody of the Society. Mr. Crocker paid the rent on the original room and, when the Society moved to larger quarters, continued to pay about nine hundred dollars a year to the Society for the care of his books. It appears that he has always had the intention of leaving the collection to the Society in his will. Recently, however, he decided to present it, and this great collection is now the property of the Society.

When the Society was reorganized in 1922, Mr. Crocker was an ardent collector of Californiana. Most of his books, I believe, had been acquired after 1915. During the ensuing years he was the only consistent collector of Californiana and had the market largely to himself. The result was that he formed a very fine collection which in 1923, without doubt, was the best in private hands in California. In addition to about seventeen hundred books and articles extracted from newspapers, the collection contains some thirty-eight maps and sixty-eight views, largely of San Francisco. Approximately ninety-five per cent of the books and pamphlets relate to California. The collection is especially rich in local California pamphlets. Mr. Crocker was greatly interested in dime novels depicting California life and, among other items of this character, acquired the first thirteen volumes of Beadle's *Saturday Journal*, published between 1870 and 1882, probably the only complete file in existence. Also, the collection contains several groups of manuscripts, such as the papers of Commodore J. D. Sloat.

Although our members have had the use of Mr. Crocker's collection without restriction, the presence of two distinct libraries has been the cause of some inconvenience, and the presentation of so munificent a gift to the Society must always be considered a distinct landmark in its history.

The gift of Mr. Crocker is the first substantial one the Society has received since the Melville Schweitzer Memorial Collection in 1932. It is a noticeable and somewhat melancholy fact that since the reorganization in 1922 not a single member has left it a bequest. Some four wealthy members who were much interested in the Society have passed away recently, without remembering it. I should like to recommend that when a member makes his will he insert at least a small bequest—or a large one if his circumstances permit.

As our members in general have but little knowledge of Mr. Crocker's collection, I append a short list of the most important items.

BOOKS, PAMPHLETS, AND BROADSIDES

Herrera, Antonio de, *Historia general de los hechos de los Castellanos*, 4 vols., [Madrid?], 1601-15.

This contains the account of Cabrillo's voyage to California and is the oldest book in the collection.

Le Voyage de l'illvstre Seignevr et Cheualier François Drach, Paris, 1627. Second edition.

The French translation of "The Famous Voyage" of Hakluyt.

Le Voyage cvrievx, Paris, 1641.

The third edition of the preceding item.

Relacion ajvstada de los servicios de el Almirante Don Pedro Porter, y Casanate, Madrid, 1655.
Porter was one of the explorers of the Gulf of California. This is the only known copy.

Kino, Padre Eusebio Francisco, *Exposicion astronomica de el cometa,* Mexico, 1681.

Venegas, Miguel, *Noticia de la California,* Madrid, 1757.
The collection also contains the edition in English of 1759, the Dutch edition of 1761, the French of 1767, and the German of 1769.

Torrubia, Fray Giuseppe, *I Moscoviti nella California,* Rome, 1759.
A discussion of the Russian discoveries in the North Pacific.

Lorenzana, Archbishop Francisco Antonio, *Historia de Nueva-España escrita por .... Hernan Cortes,* Mexico, 1770.

Reglamento, e instruccion para los presidios que se han de formar en la linea de frontera de la Nueva España, Mexico, 1773. Second edition.

Palóu, Fray Francisco, *Relacion historica de la vida y apostolicas tareas del venerable Padre Fray Junipero Serra,* Mexico, 1787.

Sales, Fray Luis, *Noticias de la Provincia de Californias en tres cartas,* Valencia, 1794.

La Pérouse, Jean François Galaup de, *Voyage round the World,* London, 1799.
The English edition of the *Voyage de La Pérouse autour du monde.*

[Espinosa y Tello, José de], *Relacion del viage hecho por las goletas Sutil y Mexicana en el año de 1792,* Madrid, 1802.
An account of exploration of the Strait of Juan de Fuca.

Choris, Louis, *Voyage pittoresque autour du monde, avec des portraits de sauvages d' Amérique ....,* Paris, 1822.

[Junta de fomento de Californias], *Colleccion de los trabajos ....,* Mexico, 1827.

Pattie, James O., *The Personal Narrative of,* Cincinnati, 1833.

Figueroa, José, *Manifiesto a la Republica Mejicana ....,* Monterrey, 1835.
The only book of any size printed by Agustin V. Zamorano, California's first printer.

Vallejo, Mariano Guadalupe, [*Ordenes* of the *Comandante General,* 1837-39.]
Printed by Vallejo at Sonoma.

Forbes, Alexander, *California,* London, 1839.

Leonard, Zenas, *Narrative of the Adventures of,* Clearfield, Pa., 1839.

Dana, Richard Henry, *Two Years before the Mast,* New York, 1840.

Hastings, Lansford W., *The Emigrants' Guide to Oregon and California,* Cincinnati, 1845.

Johnson, Overton, and Winter, William H., *Route across the Rocky Mountains,* Lafayette, Ind., 1846.

Maximilian, Prince of Wied, *Travels in the Interior of North America,* London, 1843.

Wilkes, George, *The History of Oregon,* New York, 1845.

Robinson, Alfred, *Life in California,* New York, 1846.

Palmer, Joel, *Journal of Travels over the Rocky Mountains,* Cincinnati, 1847. The first issue.

Police Regulations for the Harbors of California [San Francisco, 1847]. Broadside.
The only copy known.

Extract from the Regulations for Collecting the Tariff of Duties on Imports and Tonnage [San Francisco, 1847].
Printed on two sheets of blue letter paper.

Simpson, Henry I., *The Emigrants' Guide to the Gold Mines*, New York, 1848.

Creuzbaur, Robert, *Route from the Gulf of Mexico . . . . to California*, New York, 1849.

Porter, Rufus, *Aerial Navigation: the Practicability of Traveling . . . . from New York to California in Three Days*, New York, 1849.

Abbey, James, *A Trip across the Plains*, New Albany, Ind., 1850.

Beschke, William, *The Dreadful Sufferings and Thrilling Adventures of an Overland Party . . . ., Compiled from the Journal of Mr. George Adam*, St. Louis, 1850.

Kimball, Charles P., *San Francisco City Directory, September 1, 1850*, San Francisco, 1850.
Edward McGowan's copy.

M'Collum, William S., *California as I Saw It*, Buffalo, 1850,

[Plumbe, J., or Robinson, Charles], *A Faithful Translation of the Papers Respecting the Grant Made by Governor Alvarado to Mr. J. A. Sutter* [Sacramento, 1850].
The only copy known of the first book printed in Sacramento.

Slater, Nelson, *Fruits of Mormonism*, Coloma, Cal., 1851.
Author's presentation copy.

Clarke, A. B., *Travels in Mexico and California*, Boston, 1852.

Horn, Hosea B., *Horn's Overland Guide*, New York, 1852. Also the edition of 1853.

Perry, J. A., *Thrilling Adventures of a New Englander*, Boston, 1853.

McGowan, Edward, *Narrative of*, San Francisco, 1857.

PERIODICALS

The California Star, San Francisco, 1847. 29 numbers of Vol. I.

The Californian, San Francisco, 1847-48. 26 numbers of Vol. II.

The Family Visitor, Cleveland, Ohio, 1850-51. Vol. I, Nos. 1-52.
Contains the first printing of Lorenzo Sawyer's *Way Sketches*.

MANUSCRIPTS AND DOCUMENTS

The collection is also rich in Spanish documents and manuscripts and many original journals of immigrants who came overland and around the Horn. Of the Spanish period, perhaps the most noteworthy is "*Estado que guardan las misiones de Monterey y California*," 1775, by Pedro Fages. One of the most interesting of the American period is the Journal of John McHenry Hollingsworth, who came with Stevenson's Regiment around the Horn in 1846-47. This was published by the Society in 1923. Another is the original journal of Eleaser S. Ingalls of a journey to California from Illinois in 1850. The most important single collection is that of the John D. Sloat manuscripts, documents, and letters relating to the conquest of California, 1845-46. Robert F. Stockton's copy book of his own correspondence, 1846-47, is also of great interest and value.

PICTURES

In the pictorial collection there are some of the rarest and most important prints of San Francisco and the mining towns of California.

Gifts Received by the Society

December 1, 1939, through February 29, 1940

BOOKS AND PAMPHLETS

From MR. ALBERT M. BENDER—Jackson, Helen Hunt, *My Days in the Wilderness*, S. F.: Book Club of California, 1939; Morrow, W. C., *The Ape and the Idiot*, S. F.: Book Club of California, 1939; Potter, Elizabeth Gray, *The San Francisco Skyline*, N. Y.: Dodd, Mead & Co., 1939; *Prominent Clubmen in Caricature*, S. F.: Fred Blair and Billy Hon, 1928; Sanders, Sue, *Our Common Herd*, Garden City, N. Y.: Country Life Press, 1939; Shaffer, G. A. and Shaffer, Cleve F., *San Francisco; International Diamond City*, S. F.: Thomson Publishing Co., 1939; Sutro Branch California State Library [5 mimeographed publications]; also art catalogues, and other items.

From BINFORDS & MORT—Dee, Minnie Roof, *From Oxcart to Airplane; a Biography of George H. Himes*, Portland, Ore.: Binfords & Mort, 1939.

From MRS. ANGUS GORDON BOGGS—Dana, Julian, *The Sacramento, River of Gold*, N. Y.: Farrar & Rinehart, 1939.

From CALIFORNIA STATE FEDERATION OF LABOR—*California State Federation of Labor Year Book 1938-1939*, S. F., 1939.

From CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE—Hanke, Lewis, and D'Eca, A Raoul, *Handbook of Latin American Studies*, Cambridge, Mass.: Harvard University Press, 1939.

From MISS ALICE EASTWOOD AND MR. JOHN THOMAS HOWELL—*Leaflets of Western Botany*, Vol. II, Nos. 4-10, Nov. 20, 1937-April 26, 1939.

From E CLAMPUS VITUS—E Clampus Vitus, *Annual Gathering of the . . . E Clampus Vitus . . .*, S. F., 1940.

From MRS. LUKE FAY—Cody, Edmund R., *History of the Coeur d'Alene Mission of the Sacred Heart* [Caldwell, Idaho, 1930]; Duprè, J. A., *Defense of J. A. Duprè, M.D. in Her Relations with A. F. Evans as His Physician* [Oakland: author, n. d.]; *Final Report of the Grand Jury, Impaneled by Hon. Geo. H. Cabaniss, Feb. 27, 1909-Feb. 18, 1910* [S. F., 1910]; Harvey, C. D., *From Graft and Grab; a Government Problem*, San Jose: Industrial Printing Co.; Hill, J. L., *The End of the Cattle Trail*, Long Beach: George Moyle Publishing Co.; *An Important Visit; Zebulon Montgomery Pike, 1805* [n. p.] Great Northern Railway [n. d.]; Lafler, Henry A., *How the Army Worked to Save San Francisco*, S. F.: Calkins Newspaper Syndicate [1906]; McWhorter, L. V., *The Discards* [1920]; Philbrook, Horace, *The Corrupt Judges of the Supreme Court of the State of California; Memorial to the Legislature*, S. F., 1897; *Provisions of the Political Code Establishing Pilots and Pilot Regulations . . .*, Sacramento, 1895; *Report of the Directors of the California State Prison*, Sacramento, 1871; *A Souvenir of Salt Lake City and Utah* [N. Y., 1888]; *The Star Rare Coin Encyclopedia . . .*, Fort Worth, Texas: The Numismatic Company of Texas [1933]; Teesdale, E. (Roughneck), *Truth Unadorned, Unafraid, and Unmuzzled* [n. p., n. d.]; *Thomas Fox, Political Machine Boss* [Washington, 1913?]; *The X-Ray*, San Francisco, January, 1915, Nos. 1, 2, 4.

From MR. JOHN D. GALLOWAY—Galloway, John D., "Memorandum on Some of the Engineering Works of the Comstock at Virginia City and Gold Hill, Nevada" (typewritten MS).

From MRS. FRANCES T. GARDNER—Gardner, Frances Tomlinson, *John Townsend—the Peripatetic Pioneer*, reprinted from *California and Western Medicine*, Vol. 51, Nos. 3-5, Sept. to Nov., 1939.

From MRS. BESS A. GARNER—Garner, Bess Adams, *Windows in an Old Adobe*, Claremont: Saunders Press, 1939.

From MRS. WYMAN GRAHAM—Bancroft, Anne, *The Memorable Lives of Bummer & Lazarus*, L. A.: Ward Ritchie Press, 1939.

From MRS. JEROME HART—Hart, Ann Clark, *Lone Mountain*, S. F.: Pioneer Press, 1937 (enlarged and extra-illustrated edition).

From MR. FLODDEN W. HERON—Cowley, Abraham, *Works* . . ., London: printed by J. M. for Henry Herringman, 1669 (contains poems concerning a chair made from timber of Francis Drake's *Golden Hind*).

From PROF. JOEL H. HILDEBRAND—Ski Club of Great Britain, *British Ski Year Book*, Vol. X, No. 20, 1939, containing article by Dr. Hildebrand on "A History of Ski-ing in California."

From MR. HARRY D. HUBBARD—Hubbard, Harry D., *Building the Heart of an Empire*, ed. by James A. Metcalf. Boston: Meador Publishing Co., 1938.

From MISS STELLA HUNTINGTON—Leale, Capt. John, *Recollections of a Tule Sailor*, S. F.: George Fields, 1939.

From NATIONAL SOCIETY OF COLONIAL DAMES OF AMERICA IN THE STATE OF CALIFORNIA—Tibbitts, Grace Cilley, *Rivers of California*, S. F.: p. p. for Colonial Dames of America, 1938.

From TIPPECANOE COUNTY HISTORICAL ASSOCIATION – Wetherill, Richard B., *The First Official Air Mail* [*1859*], reprinted from the *Indiana Magazine of History*, XXXV, No. 4, Dec. 1939.

From U. S. WORKS PROJECTS ADMINISTRATION—Northern California Historical Records Survey Project, *Inventory of the County Archives of California*, No. 41, *San Luis Obispo County*, S. F.: Northern California Historical Records Survey Project, 1939 (mimeographed).

From UNIVERSITY OF ILLINOIS PRESS—Sandemeyer, Elmer C., *The Anti-Chinese Movement in California*, Urbana: University of Illinois Press, 1939.

From VON BOECKMANN-JONES COMPANY—Castañeda, Carlos E., *The Mission Era; the Passing of the Missions 1762-1782*, Our Catholic Heritage in Texas, Vol. IV, Austin, Texas: Von Boeckmann-Jones Co., 1939.

From MR. HENRY R. WAGNER—Burpee, Lawrence J., *The Search for the Western Sea*, N. Y.: The Macmillan Co., 1936, 2 vols.; Davis, B. W., *Poetry on Several Subjects, for the People*, Richmond, 1855; *Exposicion à la Comision de Hacienda de la Augusta Càmare de Senadores a favor de las Misiones de Californias* [Mexico, 1845]; Poole, John H., *American Cavalcade; a Memoir of the Life and Family of DeWitt Clinton Poole*, Pasadena: p. p., 1939; *Rectificacion de graves equivocaciones en que inciden los Señores terceros poseedores* [in re Pious Fund] Mexico: Lara, 1843; *Stephen J. Field Arrested for Conspiracy and Murder of the Hon. David S. Terry*, Fresno, 1889; [Summerhayes, Martha] *Vanished Arizona* . . ., ed. by M. M. Quaife, The Lakeside Press, 1939; Wagner, H. R., *Commercial Printers of San Francisco from 1851 to 1880*, Portland, Maine: Southworth-Anthoensen Press, 1939, reprint from *Papers* of the Bibliographical Society of America, Vol. XXXIII, 1939; *idem*, *Mexican Imprints 1544-1600 in the Huntington Library*, L. A.: Ward Ritchie Press, 1939; *idem*, *Willard Samuel Morse; a Great Collector*, L. A.: Ward Ritchie Press, 1939; Walters, Lorenzo D., *Tombstone's Yesterday* . . ., Tucson, Ariz.: Acme Printing Co., 1928.

From MR. CARL I. WHEAT—Wheat, Carl I., *The Forty-niners in Death Valley*, reprinted from the *Quarterly* of the Historical Society of Southern California, December 1939.

From WINDSOR PRESS—*Noticias of the Port of San Francisco in Letters of Miguel Costanso, Fray Juan Crespi and Fray Francisco Palou in the Year 1772* [S. F.: Windsor Press, 1940].

From MISS LOTTIE G. WOODS—Catalogues of Haggin Galleries, San Joaquin Pioneer Historical Museum, and auction sale of treasures from W. B. Bourn's residence; pamphlet concerning Mills College.

NEWSPAPERS AND MAGAZINES

From MR. FRED J. BOWLEN—S. F. *Chronicle*, Sunday, Jan. 28, 1940, Jubilee Edition (75th Anniversary).

From MR. EDMUND KINYON—*The Morning Union*, Grass Valley and Nevada City, Jan. 21 and 28, 1940, containing articles on General James Allen.

From CAPT. R. E. O'NEILL—*News Letter and Wasp*, Nov. 10 and 17, 1939, and Feb. 9, 1940.

From MR. WYLAND STANLEY—Newspapers: Monitor, Alpine County, *Alpine Miner*, Oct. 13, 1866; Carson, Nevada, *Carson Weekly*, Nov. 7, 1898; Virginia City, *Evening Report*, Aug. 25, 28, 29, 1888; Sept. 1, 1898; Mariposa, *Mariposa County Gazette*, Mar. 6, 27, 1875; Auburn, *Placer County Republican*, Oct. 28, 1885; Aug. 25, 1886; Austin, Nevada, *Reese River Reveille*, Nov. 7, 1896; Virginia, Nevada, *Evening Chronicle*, Mar. 19, 21, 25; Aug. 1, 28, 30, 1884; April 25; May 13, 19; June 2, 3, 4, 23, 25, 27, 29; July 3, 7, 8; Aug. 3, 4; Oct. 2, 8; Nov. 12, 13, 14, 20, 21, 23, 24, 25, 27, 28, 30, 1885; Ely, Nevada, *White Pine News*, May 21, 1892; Feb. 3, 1894.

PICTURES AND MAPS

From MR. ALBERT M. BENDER—Photograph of Underwriters Fire Patrol building surrounded by photographs of J. E. Littlefield, Jno. H. Colen, Lieut. J. F. O. Comstock, Thos. J. Dornin and W. K. Brown (framed); photograph of Old Liverpool, London, and Globe Insurance Office, San Francisco, before the fire of 1906.

From MR. FRED J. BOWLEN—Photographs and history of first and second bells of Monumental Engine Company, S. F. Fire Department (framed); photographs and history of S. F. City Hall bell (framed).

From T. CATESBY JONES—Photograph of a portrait of Commodore Thomas ap Catesby Jones.

From MISS EDITH NORRIS—Photographs (in velvet case) of Mr. and Mrs. Milton C. Latham.

From MR. F. H. POSS—3 stereoscopic views of San Francisco.

From MISS LOTTIE G. WOODS—3 photographs of James D. Phelan.

MISCELLANEOUS

From MR. ALBERT M. BENDER—Pass issued to B. F. Brisac, San Francisco, April 21, 1906, by Mayor Schmitz.

From MR. EDWARD D. CERRUTI—State Poll Tax Receipt of Drago Lepotich, County of Calaveras, 1897.

From MRS. LUKE FAY—Programs: Fischer's Theatre, San Francisco, Oct. 22, 1902; Santa Clara College, Thanksgiving Eve., 1907, etc.

From MR. MARK L. GERSTLE—Solid ivory poker chips (29) used by a group of pioneers during Comstock excitement. (They were formerly a loan.)

From MISS MARGARET E. MARTIN—Letter from O. P. Morton, Gov. of Indiana, to Major Gen. U. S. Grant, Aug. 14, 1863, appointing Miss C. Annette Buckel to care for wounded soldiers; Gov. O. P. Morton "To all whom it may concern," Aug. 14, 1863, in re Miss Buckel; Special Orders No. 230 (and a copy), Vicksburg, Miss., Aug. 23, 1863, authorizing Miss C. Annette Buckel to pass through the military lines; pass, Natchez, Miss., Oct. 1, 1863, to Miss Buckel; letter signed by J. K. Barnes, acting Surgeon General, Washington, Dec. 22, 1863, giving Miss Buckel permission to visit military hospitals; 6 letters from surgeons in charge of hospitals, 1863-65, commending Miss Buckel; letter of C. Annette Buckel to Surgeon General Barnes, in re nurses for Jeffersonville General Hospital, and endorsement of J. K. Barnes confirming her recommendations, Feb. 23, 1864; letter of condolence of D. M. Miller, Aug. 19, 1912, on death of Dr. Buckel; miscellaneous clippings relating to Dr. Buckel's death.

From MISS EDITH NORRIS—Enameled brooch presented by Milton C. Latham to his wife, Christmas, 1869.

From MR. ASHFIELD STOW AND MRS. VANDERLYNN STOW—Banner presented by the ladies of Trinity Church to the San Francisco Vigilance Committee of 1851, and a banner of the Vigilance Committee of 1856, both hand-painted on silk, the latter by Nahl & Brother.

LOANS

From MR. FRANCIS ANTHONY O'CONNELL—Application of Anthony F. O'Connell to Edwin Bryant, Alcalde of San Francisco, for lot No. 331, Mar. 26, 1847; Original grant of town lot No. 331 to Anthony F. O'Connell, San Francisco, March 27, 1847, signed by Edwin Bryant and Pedro T. Scherrebeck; Document certifying that A. F. O'Connell was enrolled in the Capt. Farran Co., San Francisco Blues, signed by Capt. Robt. Farran, Mar. 16, 1863.

In Memoriam

MRS. ELMER E. CHILDS

1869-1940

Mrs. Elmer E. (Anna L. Reier) Childs, long a member of this Society, died at her home in Berkeley on January 9, 1940.

Mrs. Childs was born in Oakland, California, on September 7, 1869, the daughter of Mr. and Mrs. Charles Reier, who had come from Germany to California in 1852. She graduated from Snell Seminary, a private school in Oakland, in 1889, and married Elmer E. Childs on September 19 of that same year. Mrs. Childs is survived by her husband and a daughter, Enid Childs.

HORACE DAVIS PILLSBURY

1873-1940

Horace Davis Pillsbury died in San Francisco on January 18, 1940. He was born in Stockton on October 9, 1873, the son of Evans Searle and Estelle Kendall Pillsbury. After preparation for college at the Belmont School at Belmont, California, he entered Harvard College in 1891 and graduated, *cum laude*, with his class in 1895. At college he took an active interest in athletics and rowed on his class crew. Following in the footsteps of his distinguished father, he chose the law as his profession. He was admitted to practice in 1898, after having received the degree of LL.B. from the Hastings Law School in San Francisco.

In 1898 he married Elizabeth Taylor, a daughter of General Charles H. Taylor, of Boston, who was well known as the proprietor and "The Builder" of the Boston *Globe*. Besides his widow, the four children of the marriage, Olivia Pillsbury Graham, Evans Searle Pillsbury, 2nd, Charles Taylor Pillsbury, and Margaret Pillsbury, and three grandchildren, Georgiana de Ropp, Olive M. Pillsbury, and Davis Taylor Pillsbury, survive him.

Soon after his admission to the bar, he began to devote the greater part of his time to the legal work of the Telephone Company, starting as attorney for the Sunset Telephone and Telegraph Company and becoming in 1900 general attorney of the Pacific States Telephone and Telegraph Company, both predecessor companies of The Pacific Telephone and Telegraph Company. He became connected with the present company on its formation, December 31, 1906, as its general attorney, and continued as such and also as vice president from March 5, 1913, until he assumed the duties of president of the company on January 1, 1925, to which office he had been elected on December 30, 1924, because of the singularly effective part in the administrative and executive affairs of the company which he had also taken for many years. He served as president until January 3, 1935, when he became chairman of the board. Under a sixty-five year age provision, he retired on October 31, 1938, from active service and as chairman of the board, but continued as a director until his death.

During his entire career at the law, he was a member of the law firm of Pillsbury, Madison & Sutro. At the time of his passing, he had served also for a number of years as a director of The Equitable Life Assurance Society of the United States, the Fireman's Fund Indemnity Company, The Crown Willamette Paper Company, and the Bank of California. In addition to the California Historical Society, among his clubs in San Francisco were The Pacific-Union, the Bohemian, and the University, and he was also a member of the University Club of New York.

Horace Pillsbury had friends in every walk of life; he was broadminded in his religious and social life. He was charitable to all, and helped many in his quiet, unostentatious way. Keen, energetic, able, yet modest, fair and just, kindly, generous, philanthropic, and with a sense of irresistible, sparkling humor—those were the qualities that endeared him to all who knew him and to the writer, who can speak feelingly and knowingly because of an intimate friendship that had developed through a close association of nearly fifty years.

Alfred Sutro

HENRY A. VAN COENEN TORCHIANA

1867-1940

In San Francisco, at the Stanford Hospital, there passed away on March 1, 1940, Henry Albert van Coenen Torchiana, for over twenty-five years Consul General of the Netherlands, and a member of our Society of long standing.

Dr. Torchiana was born on December 25, 1867, in Java, Dutch East Indies. He came, with his wife, Catherine Geloudemans Torchiana, to the United States in 1890 and became a naturalized citizen in 1895. In 1900 he was admitted to the California bar and started the practice of law at Santa Cruz. Ten years later he removed his offices to San Francisco, though his interest in Santa Cruz never waned. There, at Villa Fair View, his summer home, situated on a former Mexican grant near the Mission, the members of the California Historical Society, on June 25, 1933, spent a most enjoyable day as Dr. Torchiana's guests. In his garden filled with rare flowers, trees, and shrubs from all over the world, he addressed the gathering on "The History of Santa Cruz and Its Mission."

Dr. Torchiana had lived in Watsonville and in Merced before coming to Santa Cruz in 1894, and it was while at the latter place that Henry Miller, of Miller and Lux fame, admired his horsemanship and ability as a cowboy and made him his superintendent. In *California Gringos*, published in 1930, Dr. Torchiana tells of this period of his life.

In 1933, Paul Elder and Company published his *Story of Santa Cruz Mission.* The author was led into a study of this Mission while delving into the records of the Santa Cruz and Monterey County land grants, in connection with a legal case he was preparing. Among Dr. Torchiana's other works are *Holland, Birthplace of American Liberty*, published in 1915, and *Tropical Holland, Java and Other Islands*, which appeared in 1921.

Dr. Torchiana was graduated from Amsterdam College of Commerce and Economics in 1887, and received the degree of Litt.D. from the University of Southern California in 1933, and that of LL.D. from Hope College, Michigan, in 1933. He wore the decorations of four foreign governments, was a member of several of San Francisco's leading clubs, including The Family, Olympic, and University clubs, and in the words of San Francisco's Mayor was "one of our most outstanding citizens."

A. T. LEONARD, JR.

We regret also to report the deaths of the following members of the Society whose obituaries had not been received up to the time of going to press: Mr. William Fredrick Wilson, on December 16, 1939, in Honolulu; and Mrs. Frank H. (Rosalie Younger) Andrews, early in March 1940, in San Jose.

New Members

Sustaining

NAME	ADDRESS	PROPOSED BY
Coblentz, Edmond D.	New York, N. Y.	Mr. Anson S. Blake
Esberg, Mrs. Milton H.	San Francisco	Mr. Allen L. Chickering
Pillsbury, Mrs. H. D.	San Francisco	Mr. Allen L. Chickering

Active

NAME	ADDRESS	PROPOSED BY
Bliss, Will M.	Piedmont, Calif.	Mr. Allen L. Chickering
Cabrillo Civic Club	San Francisco	Mr. R. H. Cross
Coblentz, Miss Denise	Stanford University	Mr. Anson S. Blake
Coldwell, Colbert	San Francisco	Mr. E. A. Wiltsee
Ellison, William H.	Santa Barbara, Calif.	Miss Dorothy H. Huggins
Freeman, Leslie J.	San Leandro, Calif.	Reinstated
Haas, Mrs. Edward F.	San Francisco	Mr. Anson S. Blake
Heiskell, Miss Lucy B.	Tulare, Calif.	Miss Dorothy H. Huggins
Howard, Mrs. Sidney	New York, N. Y.	Miss Dorothy H. Huggins
Hubbard, Harry D.	Stockton, Calif.	Mr. Leslie J. Freeman
Hudspeth, B. F.	Chico, Calif.	Mrs. Alice B. Maloney
Kemble, John Haskell	Claremont, Calif.	Mrs. Theodore J. Hoover
King, Mrs. Lionel	Woodside, Calif.	Albert Shumate, M.D.
Lewis, Oscar	San Francisco	Mr. George L. Harding
Morrish, Will F.	Berkeley, Calif.	Membership Committee
Prendergast, Hon. Thomas F.	San Francisco	Mr. Anson S. Blake
San Jose Public Schools Dept. of Adult Education	San Jose, Calif.	Miss Dorothy H. Huggins
Sproul, Robert Gordon	Berkeley, Calif.	Membership Committee
Sullivan, Miss Anne E.	San Francisco	Mr. E. A. Wiltsee
Tadlock, Mrs. Orval	San Francisco	Mr. Milton D. Eisner
Taggart, Harold F.	San Mateo, Calif.	Mr. George L. Harding
Walker, Mrs. Randolph C.	San Francisco	Mr. A. S. Macdonald
Wanzer, Harry S.	Sacramento	Prof. H. I. Priestley
Wayman, Willard O.	San Francisco	Mr. Allen L. Chickering

Reclassifications in Memberships

Patron

NAME	FROM	NAME	FROM
Fortmann, Henry F.	Sustaining	Schilling, Miss Else	Sustaining
Fricot, D.	Sustaining	Streeter, Thomas W.	Active
Milton, Maxwell C.	Active	Volkmann, Mrs. Daniel	Sustaining
Nichols, Henry D.	Sustaining	Wagner, Henry R.	Active

Sustaining

NAME	FROM	NAME	FROM
Coblentz, Mrs. Edmond D.	Active	Robbins, Lloyd M.	Active
Force, Raymond C.	Active	Starr, Walter A.	Active
Palmer, Mrs. Silas H.	Active	Stebbins, Miss Lucy Ward	Active

Meetings of the Society

The Society held a luncheon meeting on Tuesday, January 16, 1940, at the Sir Francis Drake Hotel. Dr. Henry R. Wagner, who was the prime mover in the reorganization of the California Historical Society in 1922, spoke on "California History and our own Society Past and Future."

After briefly referring to the preliminary efforts to organize, he told of the discovery that Mr. A. S. Hubbard had preserved the records of the old California Historical Society until his death and had made his office the office of the Society. His son, Mr. T. W. Hubbard, gladly consented to call a meeting of the Society, which was done. Forty-two members were elected at that meeting and the rejuvenated Society was thus launched in March 1922. Sixteen of these elected at the first meeting are still members of the Society, and four of these were present at this meeting.

The Society fixed its first headquarters in the Wells Fargo Building, at 85 Second Street, and Mr. Templeton Crocker took the adjoining room and installed his valuable collection of Californiana in it. The group of organizers were determined to publish a quarterly. This activity has continued from the beginning and others have been added.

Dr. Wagner sketched the subsequent early years of the Society's history and referred to the contributions of services by various members while he conducted the Society's affairs. He called attention to the fact that Miss Dorothy Huggins had been associated with the Society's activities from the beginning and paid a well deserved tribute to her faithful service and the intelligent discharge of her duties.

At the conclusion of his address he announced the gift to the Society by Mr. Templeton Crocker of his entire collection.

There were ninety members and guests present.

Annual Meeting

The Annual Business Meeting of the California Historical Society was held on Friday, January 26, 1940, in the Society's rooms, 456 McAllister Street, San Francisco. Mr. E. A. Wiltsee, Second Vice-President of the Society, presided.

The Secretary presented the minutes of the Annual Business Meeting of January 27, 1939, and on motion duly made, seconded, and carried, the reading of the minutes was dispensed with.

The Vice-President announced that the Secretary and Treasurer had his report ready, which was presented, as follows:

Report of the Secretary and Treasurer

For the Year Ending December 31, 1939

MEMBERSHIP

The year 1939 resulted in a net gain of 18 members. At the end of the year 1938 we had 562 members. During the year 1939 we elected 55 (including 1 honorary member and 3 who had been members previously but had resigned); 16 resignations were accepted (including that of 1 sustaining member); 6 members were dropped for non-payment of dues; 13 died (including 1 patron and 2 sustaining members), and notice was received of 2 deaths which had occurred during 1939 but which were not included in the last report. One patron member and 3 active members transferred to sustaining membership during the year. At the end of the year 1939 we had 580 members, of which 13 were patron and 20 were sustaining.

MEETINGS

Six Directors' meetings were held during the year, and ten luncheon meetings. The annual business meeting was held at the January luncheon. The subjects and speakers at the luncheon meetings were as follows:

Jan. 27—"The California-Oregon Trail." Mr. William G. Paden.
Feb. 21—"Forgotten Voyages." Dr. James A. B. Scherer.
Mar. 21—"The Mexican Background of Mining Exploitation in California." Mr. John S. Fox.
April 25—"A Buggy Ride in 1854 in Alameda County." Mr. Ezra Decoto.
May 23—"Characters of the Champagne Period in San Francisco." Evelyn Wells.
June 20—"The Rise of the San Francisco Theater." Mr. Frank L. Fenton.
Aug. 22—"Soldiers of the Overland." Fred B. Rogers, Major, U. S. Army, Retired.
Sept. 19—"Some Early Botanical Explorers of California." Miss Alice Eastwood.
Oct. 17—"The Coming of White American Women to the Pacific Coast." Dr. Clifford M. Drury.
Nov. 14—"Highlights of San Francisco Opera History." Mr. Lawrence Estavan.

GIFTS AND LOANS

The Drake Plate of Brass, which is the property of the University of California, in November was placed in the care of the California Historical Society. A safe deposit box was rented, in which to keep it, and on special occasions the Plate will be exhibited in the Society's rooms.

For other gifts and loans of books, pamphlets, pictures, maps, manuscripts, and other historical items, the Society is indebted to the following:

Mrs. Rudolph Altrocchi, Bank of California, Mr. Ben Badger, Mr. Albert M. Bender, Binfords & Mort, Mr. Anson S. Blake, Mr. G. Blank, Bobbs-Merrill Co., Mrs. Angus Gordon Boggs, Mr. Louis B. Boudin, Mr. Fred J. Bowlen, Mrs. Ruby Bramall, Rev. Donald Brookman, Mr. Thomas P. Brown, Mr. E. A. Burbank, Dr. C. G. Butler, California Chinese Pioneer Historical Society, California State Department of Education, California State Federation of Labor, California Teachers Association, Mr. J. A. Casoly, Mr. Allen L. Chickering, Mrs. E. D. Coblentz, Mrs. Frederick H. Colburn, Frederick C. Cordes, M.D., Mr. Charles S. Cushing, Rev. W. H. S. Demarest, Mr. Jerry L. Donovan, Dorrance & Co., Mr. A. Durand, Miss Alice Eastwood, Mr. W. T. Ellis, Mrs. Milton H. Esberg, Fall River Historical Society, Mr. Francis P. Farquhar, Mrs. Luke Fay, Mr. John Finn, Jr., Mr. Leslie J. Freeman, Mr. John D. Galloway, Mrs. Frances T. Gardner, Mrs. Bess A. Garner, Mr. Charles L. Glick, Mr. Alec Goldstein, the Grabhorn Press, Mrs. Wyman Graham, Charles Francis Griffin, M.D., Mr. Morgan A. Gunst, Mrs.

Jerome A. Hart, Hawaiian Historical Society, Hebrew Union College Library, Mr. Flodden W. Heron, Mrs. Charles Hirsch, Mrs. Theodore Hoover, Mr. Henry B. House, Mr. John T. Howell, Henry E. Huntington Library, Miss Stella Huntington, Mr. Edgar M. Kahn, Miss Florence Keene, Mrs. Gerald D. Kennedy, Alfred A. Knopf, Inc., Mr. William C. Latham, A. T. Leonard, Jr., M.D., Mr. M. Hall McAllister, Mr. Lewis A. McArthur, C. K. McClatchy Senior High School, Miss Eleanor McClatchy, Mr. A. S. Macdonald, The Macmillan Co., Mr. J. W. Mailliard, Jr., Major F. I. Maslin, Mrs. May Merrill Miller, Mills College Library, Mr. James K. Moffitt, Miss Frances Molera, Montana State University, Miss Bertha S. Newell, Miss Edith Norris, Norwegian-American Historical Association, Northwest Territory Celebration Commission, Oakland Public Library, Capt. R. E. O'Neill, Oxford University Press, Mr. I. M. Peckham, Dr. Robert J. Parker, Mr. W. E. Plank, Mr. Bruce Porter, Rancho Santa Ana Botanical Gardens, Mr. Fred D. Realy, Major Fred B. Rogers, Mrs. Daniel A. Ryan, Saint Hélion, Santa Fe Railway, Mr. Frank Schwabacher, Dr. Charles R. Shepherd, Albert Shumate, M.D., Mr. Forster R. Smith, Mr. H. V. Smith, Stanford University Press, Mr. Wyland Stanley, Mr. Shorb Steele, Mr. John F. G. Stokes, Mrs. Vanderlynn Stow, U. S. Works Progress Administration, University of Illinois Press, Von Boeckmann-Jones Co., Mr. H. R. Wagner, Miss E. W. Ward, Mr. Douglas S. Watson, War Memorial of San Francisco, Wells Fargo Bank & Union Trust Co., Mr. Carl I. Wheat, Mrs. Charles Stetson Wheeler, Mr. Samuel C. Wiel, Mrs. Francis Williams, Mr. E. A. Wiltsee, Miss Lottie G. Woods, Mr. S. I. Wormser, Mr. Bernard Zakheim, Mr. Fred W. Zimmerman, Sr.

PUBLICATION COMMITTEE

In June, Mr. Douglas S. Watson resigned the chairmanship of the Publication Committee and Mr. George L. Harding was appointed in his stead. At a subsequent meeting Mr. Harding was also made Editor of the *Quarterly*.

FINANCIAL

In 1931 the Society published *The Pioneer Miner and the Pack Mule Express*, by Ernest A. Wiltsee, Mr. Wiltsee advancing the costs of publication, to be reimbursed by the Society from the sales. During the past year we completed the payment of the amount due Mr. Wiltsee, and thereafter money received from the sales of the book has been placed in the Publication Fund.

Also, during the year Mr. H. R. Wagner offered to turn over to the Society, for a nominal sum, the remaining copies (105) of his book, *Spanish Voyages to the Northwest Coast of America in the Sixteenth Century*, which had been published by the Society but for which Mr. Wagner had paid and was being reimbursed from the sales. This offer was accepted, and money received from the sales of this book now goes into the Publication Fund.

For many years Mr. Templeton Crocker has very generously contributed $900 a year toward the rental of the Society's rooms. In December, word was received from Mr. Crocker that he could no longer continue these payments. Realizing that the Society would need further financial assistance, Mr. Allen L. Chickering immediately contributed $250, which was followed by gifts of $100 each from Mrs. Silas Palmer and Mr. Rudolph Schilling.

Contributions of money with which to buy books and pictures were received during the year from Mr. Allen L. Chickering, Mr. Henry R. Wagner, and Mrs. Francis Williams.

As has been customary for several years past, the books of the Society have been audited by Mr. Francis P. Farquhar, whose complete report is on file covering the year. The following is a summary of the receipts and disbursements of the General Fund and of the Publication Fund for the year:

GENERAL FUND RECEIPTS AND EXPENDITURE

For the Year Ended December 31, 1939

Receipts		
Dues:		
Active Members	$5,100.00	
Patron Members	1,850.00	
Sustaining Members	550.00	$7,500.00
Contributions:		
General Purposes	$ 455.99	
Special Purposes	935.00	1,390.99
Sales—Quarterlies		219.00
Sundry Small Receipts		7.88
Total Receipts		$9,117.87
Expenditure		
Operating Expenses:		
Salaries	$3,217.50	
Rent	1,800.00	
Telephone	72.62	
Postage and Express	95.64	
Office Supplies and Expenses	179.17	
Printing and Multigraphing	53.82	
Insurance	83.34	
Miscellaneous	109.71	$5,611.80
Other Expenditure:		
Cost of Quarterlies	$2,448.48	
Luncheon Expense	194.52	
Equipment Purchased	86.73	
Purchases from Donated Funds	114.75	2,844.48
Total Expenditure		$8,456.28
Excess of Receipts over Expenditure		$ 661.59
Balance at Beginning of Year		94.33
Balance at End of Year		$ 755.92

PUBLICATION FUND RECEIPTS AND EXPENDITURE

For the Year Ended December 31, 1939

Sales of Publications		$1,226.85
Cost of Publications Sold:		
Inventory at Beginning of Year	$1,766.10	
Additions to Inventory	1,686.30	
Total	$3,452.40	
Inventory at End of Year	2,565.90	886.50
Gross Profit from Sales		$ 340.35
Gain on Inventory Valuation		823.63
Total		$1,163.98
Selling Expenses		213.51
Net Gain from Publications		$ 950.47
Interest on Savings Account		15.66
Net Gain for Year		$ 966.13
Fund Balance at Beginning of Year		2,506.85
Fund Balance at End of Year		$3,472.98

GENERAL FUND AND PUBLICATION FUND BALANCE SHEET

As at December 31, 1939

Assets	
Cash on Hand and in Banks	$1,566.07
Accounts Receivable—Publications	107.01
Inventory of Publications	2,565.90
Total Assets	$4,238.98
Less Accounts Payable	10.08
Net Assets	$4,228.90
Fund Balances	
General Fund	$ 755.92
Publication Fund	3,472.98
Total Fund Balances	$4,228.90

On motion duly made, seconded and carried, the report of the Secretary and Treasurer was accepted and placed on file.

The Secretary then presented the report of the Chairman of the Publication Committee, which was read, and on motion duly made, seconded, and carried, was accepted and placed on file.

The Chairman appointed Miss Stella Huntington and Captain R. E. O'Neill tellers, who counted the ballots, received by mail, for Directors. Of the 189 ballots which had been cast, the tellers announced that the following members had received the majority of the votes:

Anson S. Blake
Allen L. Chickering
Robert E. Cowan
Templeton Crocker
George E. Crothers
Charles S. Cushing
Sidney M. Ehrman
Mrs. John O. Gantner
George L. Harding
A. T. Leonard, Jr.
C. O. G. Miller
Walter A. Starr
Mrs. Daniel Volkmann
Douglas S. Watson
Ernest A. Wiltsee

A scattering vote had also been cast for the following: Charles L. Camp, George Ezra Dane, James K. Moffitt, Morton R. Gibbons, and Leon L. Whitsell. The Vice-President then announced that the first fifteen named above had been elected Directors to serve during the ensuing year and until their successors are elected and qualify.

The Vice-President then announced that the collection of Californiana belonging to Mr. Templeton Crocker, which for many years has been included in the Society's library as a loan, had been presented by Mr. Crocker to the Society since the first of the year. On motion duly made, seconded and carried, the Secretary was directed to convey the thanks of the members to Mr. Templeton Crocker for his long continued support and for the gift of his library and other items of Californiana.

On motion duly made, seconded and carried, the meeting then adjourned.

ANSON S. BLAKE
Secretary

Marginalia

With this issue the QUARTERLY appears under the auspices of an editorial staff. It is believed this form of organization will bring new viewpoints and fresh enthusiasm to the task of editorial supervision. Each member of the staff is an experienced worker in the field of California history and equipped to make a definite contribution toward maintaining the standards set for our publication. With this issue also the QUARTERLY appears in a new "dress."

William Henry Ellison, editor of the "Memoirs of Hon. William M. Gwin," publication of which is begun in this issue, is professor of history and chairman of the Department of Social Science at Santa Barbara State College. Dr. Ellison is not a new contributor.

The translation of André Chavanne's vivid description of the burning of the Pacific Mail steamer *Golden Gate* is the contribution of one of our patron members, Mr. D. Fricot, of Angels Camp, California.

Among the contents of this issue is the final installment—chronologically, however, the first—of the narrative of Lieutenant Archibald H. Gillespie's trip to California in 1845-46. To the issues of the QUARTERLY for June, September, and December 1938 (Vol. XVII) and for September 1939 (Vol. XVIII, No. 3), Mr. George Walcott Ames, Jr. and Mr. Richard R. Stenberg, respectively, contributed the letters written by Gillespie from the time he left New York in October 1845 until he arrived in California, to the Secretary of the Navy. John Adam Hussey now presents the origins of Gillespie's mission. Mr. Hussey will be remembered for his "New Light upon Talbot H. Green, as Revealed by His Own Letters and Other Sources," published in Vol. XVIII, No. 1 (March 1939), of the QUARTERLY. Mr. Hussey has been doing graduate work at the University of California, Berkeley, under a Native Sons of the Golden West Fellowship in Pacific Coast History. During the academic year 1938-39 he held a Class of 1883 Traveling Fellowship in History and his present paper is one of the results of research in governmental archives in Washington, D. C.

Harold Francis Taggart is professor of history and dean of men at San Mateo Junior College, San Mateo, California. He has contributed articles on the political history of California during the late nineteenth century to other historical reviews. Dr. Taggart is a member of our editorial staff.

Margaret Elizabeth Martin is an instructor in English on the Davis campus of the University of California. Dr. Martin was a friend of Dr. C. Annette Buckel and recently presented to the library of our Society the original source material on which her article is based.

Among our new members are noted the following:

Mr. Will M. Bliss is the grandson of Duane L. Bliss, who, with H. M. Yerington, in 1875 built the Lake Tahoe narrow-gauge railroad, to freight lumber from their mill at Glenbrook to the summit of the Sierra Nevada, where it was then run in a V-flume to Carson City.

Mr. Edmond D. Coblentz is a former San Francisco newspaperman, having been editor and managing editor of the San Francisco *Examiner* and of the *Call-Post*, and publisher of the latter. He was editor of the New York *American* for several years and is now with the New York *Journal and American*. His daughter Denise is a student at Stanford University. Mrs. Coblentz (the former Mrs. Melville Schweitzer) has been a member of the Society for many years.

Mr. Colbert Coldwell is a member of the well-known San Francisco real estate firm, Coldwell, Cornwall & Banker.

It is pleasing to note that Mrs. Milton H. Esberg, Mrs. Edward F. Haas, Mrs. Sidney Howard, and Mrs. Horace D. Pillsbury are continuing the memberships of their late husbands.

Mr. Leslie J. Freeman is secretary-manager of the San Leandro Chamber of Commerce.

Miss Lucy B. Heiskell is the granddaughter of Tyler Davis Heiskell and John App, both of whom came to California in 1850, the former from Tennessee and the latter from Illinois. Heiskell was a member of the constitutional convention of 1878. Mrs. App, Miss Heiskell's maternal grandmother, was Leanna Donner, a survivor of the ill-fated Donner party.

Mr. Harry D. Hubbard is the author of the recent work on the San Joaquin Valley, *Building the Heart of an Empire*.

Mr. B. F. Hudspeth, county recorder of Butte County, is the son of William David Hudspeth who came as a small boy to California in 1849 with his father. W. D. Hudspeth was a cousin of Captain Benjamin Hudspeth of the California Battalion, and of James M. Hudspeth who came to California with the Hastings party in 1843.

Mr. John Haskell Kemble is a member of the Department of History at Pomona College, Claremont, California. He is a specialist in the maritime history of California and has paid particular attention to the Pacific Mail Steamship Company. Mr. Kemble has contributed to the QUARTERLY in the past, and is a member of our editorial staff.

Mr. Oscar Lewis is the popular California writer whose *The Big Four* (1938) and (with Carroll D. Hall) *Bonanza Inn* (1939) have been best-sellers. Mr. Lewis has been for many years secretary of the Book Club of California.

Mr. Will F. Morrish is president of the American Toll Bridge Company. He is identified with other businesses of the State and was formerly president of the Bank of America.

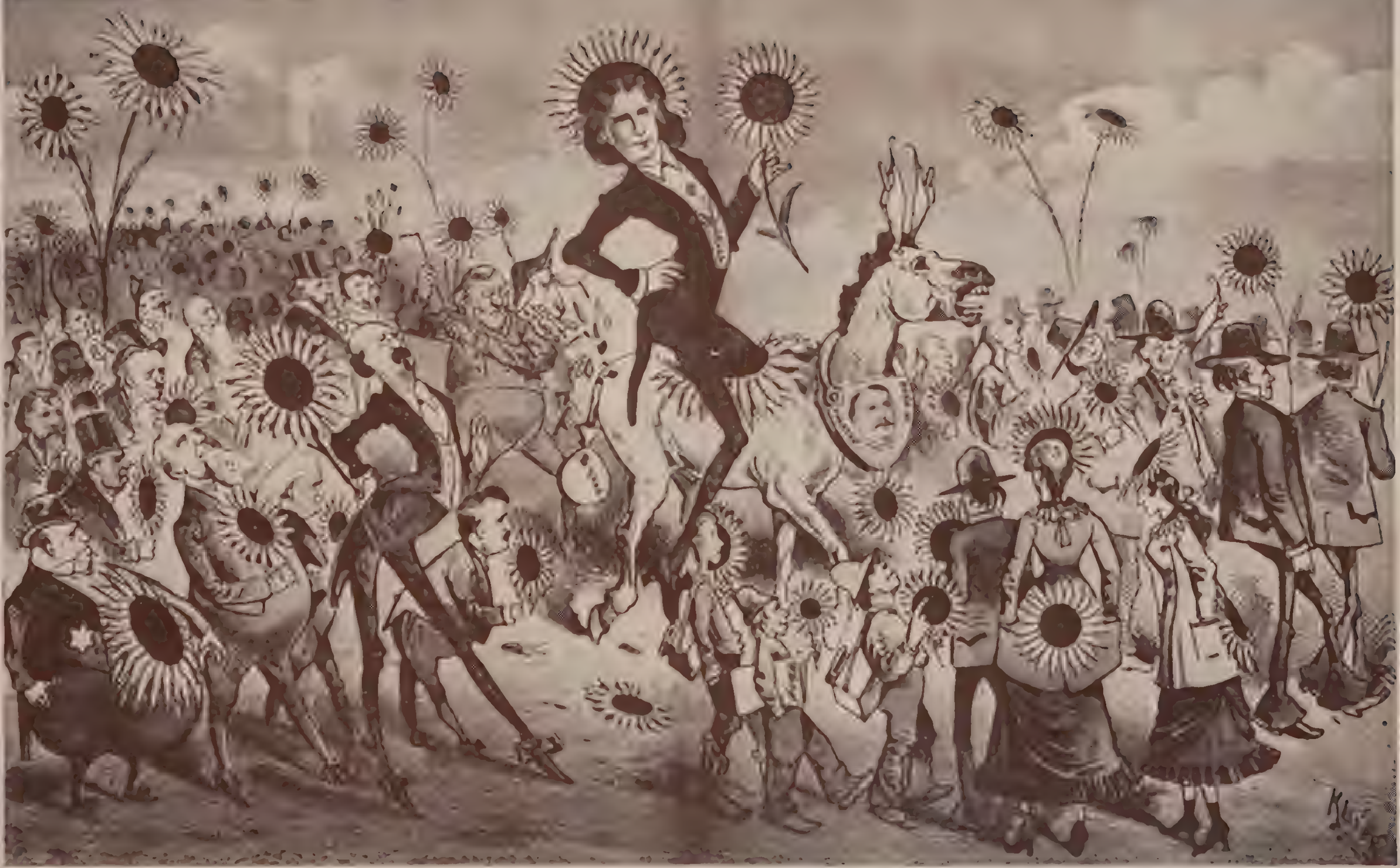
Hon. Thomas F. Prendergast is a judge in the Municipal Court of the City and County of San Francisco.

Mr. Robert Gordon Sproul is president of the University of California.

Miss Anne E. Sullivan is with the Wells Fargo Bank and Union Trust Company, San Francisco.

Mr. Harry S. Wanzer is secretary-manager of the Capital Federal Savings and Loan Association, Sacramento.

Mr. Willard O. Wayman is general manager of the Pacific Department, National Fire Insurance Company of Hartford.



"THE MODERN MESSIAH"

Gilding the Sunflower

A Study of Oscar Wilde's Visit to San Francisco

By Lois Foster Rodecape

"LIKE THE helianthus, I shall wend my willing way toward the Occidental uttermost of American civilization."[1] In these words the languid, elegant young Apostle of Aestheticism announced from the East his incipient descent upon California.

Young Oscar Wilde, newly graduated from Oxford; imitator of Whistler, Ruskin, Pater; poetaster of some pretensions; above all, seeker-after-fame; had come to America to fill his pockets, see the world, and advance his own career at one vast blow. The youthful tourist had been preceded by the D'Oyly Carte production of the light-operatic *Patience*, in which Gilbert and Sullivan had caricatured the "Aesthetic" movement of which he was part, as well as by other English accounts of "Aesthetic" idiosyncrasies. Nevertheless, Wilde seemed more than willing to play the ridiculous part assigned to himself, to pose in fine earnest as the amazingly affected, comically overdrawn, precious leader of the cult of "Aesthetes." How much of the whole exaggerated farce of his American "lecture tour" was conscious parody, how much unconscious absurdity, it was difficult to determine.[2]

In the late seventies, English-speaking people had found unprecedented delight in the musical witticisms of William Gilbert and Arthur Sullivan. Americans had profited by the laxity of international copyright law; and *Pinafore*, *Trial by Jury*, and *The Pirates of Penzance* had found ready audiences in versions sometimes strangely varied and interlarded with American invention. *Patience*, though introduced in London on April 23, 1881,[3] had not officially opened in New York until September 22; but a pirated version had scored an earlier success in San Francisco, where Emelie Melville's light-opera company had introduced the piece in late August.[4] The subsequent peregrinations of the unauthorized company had taken them to the Middle West and even to Boston, while the D'Oyly Carte officials in New York had fretted unavailingly and continued to gather Manhattan shekels from their "authorized" production.

Whether or not Wilde was the direct inspiration for the character of the effete Bunthorne in *Patience*, he was popularly designated as its real-life materialization when D'Oyly Carte persuaded him to tour America garbed in the official costume of that delicate hero but offering a purportedly more serious exposition of the nature and aims of the new movement in art and letters.

In New York, young Oscar Wilde had been the center of a maelstrom of scandalous incident and publicity from the moment of his arrival in early January 1882.[5] There was a sudden exaggerated vogue for sunflowers, lilies, and Japanese parasols—all of which were said to evoke Wilde's enthusiasm. Newspaper reporters outdid themselves in ridiculing the twenty-eight-year-old "lecturer"; cartoonists pounced upon him with a fervor less brutal than gleeful; women draped themselves about the new "lion"; and the few men who found something sensible and telling in Wilde's advice and pronouncements on art and decoration were unheard for the most part in the paean of masculine denunciation. The costume adopted by young Wilde, which included short breeches, long silk stockings, and a shoulder-length haircut, was hailed with horror and amazed contempt by young dandies educated to long tight trousers, high stiff collars, and full mustaches.

San Francisco's bright, acidulous weekly, the *Wasp*, was quick to seize upon the opportunity for humor and commented editorially and devastatingly in January:

> Beyond the circumstances that Mr. Wilde has published a volume of poems of unequal demerit, that he wears a bottle-green top-coat and loves his lily with a Q because it [is] quite quite, it is only known of him here that he is an involuntary sitter to such unflattering portraitists as Mr. Du Maurier, such terrible quilldrivers as Mr. Burnand and such abandoned playsmiths as Mr. Gilbert.[6]

During the winter months there were published in the *Wasp* and in other California publications occasional jingles about Wilde and the Aesthetes; a popular song entitled "Oscar Dear" was received with condescending humor in the city's gay spots;[7] and the slang of the moment included such supposedly Wildean expressions as "too utterly utter," "just too too," and "do you yearn?"

The premature Melville offering of *Patience* had been sponsored by Charles E. Locke,[8] San Francisco impresario and theatre manager. In March this enterprising gentleman announced that he had contracted with Oscar's New York manager, D'Oyly Carte, for twenty western lectures to be delivered by Wilde between March 22 and April 15, at a flat remuneration of $5,000, and all expenses paid.[9] More lyric comments bejeweled the California press. One, printed in the *Examiner*, opened:

Hail! brother, hail! from o'er the seas,
  How glad am I to greet you!
Although your pants but cap your knees,
  I'm highly pleased to meet you.
Although your locks to some give shocks,
  To you I now extend
A hearty hand of fellowship,
  My brother, poet, friend.[10]

The "Occidental uttermost of American civilization" prepared to meet and greet Oscar Wilde.

On March 22, 1882, Oscar Wilde boarded the transcontinental train at Omaha. With him traveled a manservant[11] and a secretary or personal business agent.[12] During the wearisome period of transit to the Coast, young Wilde made a number of casual acquaintances. One of these, Marcus R. Meyer, dramatic agent, confided to reporters on arrival that "Wilde is no sardine, and anybody who picks him up for a d——d fool will get left."[13]

Another train acquaintance was John Howson, comedian of the Comley-Barton Opera Troupe, who was traveling to San Francisco to open the officially-approved production of *Patience*, in which he was to impersonate the Wildean Bunthorne. Howson, for purposes of rehearsal or in animal spirits, during the journey donned his Bunthorne wig and costume on several occasions and presented himself to cheering mobs in the guise of the retiring Oscar, now bored by the constant attention he received everywhere.[14] Thus at Corinne, Utah, some forty bogus Aesthetes, with sunflowers and an accompanying band, were honored by Mr. Howson's impersonation.

At Sacramento, California, as he neared San Francisco on the morning of March 26,[15] Wilde was joined in the "palace car" by a reporter who proffered a tasteful bouquet of "Aesthetic" flowers in token of Sacramento's sympathy and admiration. The young journalist was provocatively respectful. He requested permission to ride with Wilde to San Francisco so that he might have full opportunity to complete the first California interview with the visitor. Wilde expanded before the young man's promise of a "fair show" and no distortion of his comments, responding "with ready fluency and sincere earnestness."[16]

The Sacramento reporter described Wilde in some detail. He found him a tall youth, slightly stooping in appearance, punctiliously amiable and polite. At some length Wilde's countenance was analyzed:

> His clean-shaven face is long, broadest at the lower jaw, with a full, round and oversized chin; a large and well-developed nose, a broad mouth, with full lips opening over large, prominent teeth, the upper lip a shade too short, and eyes very full, large and handsome and an apology between gray and blue, are arched by delicately lined eyebrows. His forehead is high, narrows as it ascends, and on either side his straight brown hair . . . . from a middle parting falls to a level with his chin in unstudied negligence, and shades a neck rather long and with a tendency to crane slightly forward. The expression of his countenance is very amiable, and a constant smile of perfect content rests upon his over-full features, which are almost effeminate in apparent lack of vigor and force, but which in that respect belie the man . . . .[17]

The talk veered pleasantly from Aestheticism to America, from pirated versions of Wilde's poems for sale by newsvenders, to his impressions of the western workingman.

At Port Costa, on the northern shore of San Francisco Bay, a group of San Francisco reporters boarded the train, counting on the short interval to Oakland and the ferry trip across the bay for opportunity to interview the newcomer.[18] Wilde had arrayed himself gorgeously and in accordance with his singular reputation: he wore a broad-brimmed light sombrero of Spanish style, a close-fitting black velvet frock coat, dun-brown trousers, a velvet waistcoat, low wide collar, highly polished pointed shoes, and the final touch of puce-colored tie and yellow gloves.[19]

The *Examiner* reporter thought Mr. Wilde endowed with "the quiet, dignified courtesy of a gentleman and a man of the world."[20] A rival reporter, however, was annoyed because Oscar did not remove his hat when speaking to the newspapermen, and he characterized the English youth as "a rather untidy person." Indeed, he announced in print that Oscar's "face is homely, his figure is ungainly, and his manners are not very good."[21] The charm which the Sacramento reporter had discovered on longer acquaintance was not apparent to these casual and prejudiced observers, who were prepared to describe the effete "lecturer" with sarcastic phrases culled from eastern reports.

At the Oakland terminus of the railroad, Wilde was the focus of curious attention from a small and silent group gathered to get a look at him.[22] Hemmed in by reporters and the managers of his western tour, Oscar was borne on a conversational wave to the ferryboat and across the bay to the San Francisco Ferry Building. Disembarking, he was driven in a carriage up Market Street to the great new Palace Hotel, the "largest hotel in the world."[23] The famous and glittering hostelry, resplendent with palm trees and scintillant chandeliers, was built around a magnificent circular court, into which carriages might penetrate to discharge arriving guests. Opened to the public in the fall of 1875, the establishment had won a fine reputation for effective englamoring of transients. Criticism of its luxurious splendor on the basis of superficial theories of "Aestheticism" was currently unthinkable.

The rooms occupied by Mr. Wilde were "of the usual hotel order," boasting a bay window and an ornate mantel.[24] A female reporter (the first of her sex Mr. Wilde had ever met) later scanned the apartment for indications of invading Aestheticism and reported to the newspaper public that a table in the bay window flaunted a large bouquet of white flowers, "beautifully arranged, and, to give it effect, a silk handkerchief had been thrown carelessly across the two lower branches, and the air coming from the window swayed the ends . . ."[25] Another table (there were three in the room) bore a large silver fruit-dish filled with oranges. Papers, letters, books, and notes were strewn about in some confusion. "On the sofa was carelessly thrown a dark brown rug with a pillow, over which was thrown a crepe shawl of the same color, with long fringe to match."[26] Here Oscar signed autographs, received reporters, and here the obsequious servant ministered to his sartorial elegance.[27]

However unorthodox Oscar Wilde may have been in appreciation of objects of San Francisco's architectural pride, he was not so blind that he did not find enchantment in the beautiful coastline and temperate climate of central California. His praises for the country's natural beauties were repeated again and again, long after his departure.[28] He told San Franciscans that California reminded him strongly of his beloved Ireland[29] and later described the State to easterners as "the Italy of America."[30] Wilde was interested, too, in other aspects of the cosmopolitan atmosphere of this city mounted on a corrugated peninsula of sand dunes and mountains, overlooking the generous vistas of the great bay. Before his first lecture on the evening of Monday, March 27, he paid a ceremonious visit to the local San Francisco School of Design, as well as to the rooms of the Bohemian Club, a popular men's organization devoted somewhat obscurely to the arts.[31]

The local lecture auditorium, Platt's Hall, was "filled with a select and fashionable audience"[32] on the evening of March 27. "Nearly all the prominent professional men in the city, accompanied by ladies,"[33] had paid the rather high admission charge of one dollar and fifty cents for reserved seats.[34] The hall was not crowded; but the main floor was very well filled, the gallery moderately so; and private boxes contained a good number of pretenders to wealth and fashion.[35] In compliment to the Apostle of the Beautiful, the hall was decorated with his reputedly favorite flowers: sunflowers, lilies, dahlias, and so on.[36]

Like all of his audiences, this San Francisco gathering was eager to appraise the evening costume which Oscar Wilde had adopted in defiance of current fashion. Full sartorial details were offered in the newspapers for the benefit of those of next day's readers who had not seen or heard of the phenomenon:

> He was dressed in a suit of black velvet, with knee-breeches and stockings of black silk. His shoes were low-cut, patent leather, with large silver buckles. His cravat was a profusion of white lace and that article decorated the cuffs of his coat, which was of the cut-away style. His hair he wears very long, parted in the centre and hanging down upon his shoulders. His jewelry consisted of a diamond pin which he wore in the bosom of his shirt, but which was partly concealed by the large profusion of lace, and his watch-guard was of black tape, to which was suspended a very large seal. He wore white kid gloves, the one on his right hand being only partly on when he came upon the stage, and which he removed soon after, and which disclosed a large ring worn on the third finger.[37]

As this overgrown Fauntleroy advanced "like one of Rubens' portraits, or an opera bouffe artist about to sing a solo," according to the *Chronicle* reporter he could not have failed to hear the comment of "a well-known society lady in the second row":

"Oh, my soul! what a dress!"[38]

California had been nurtured on oratory and eloquence. Her sons were used to the large gesture, the sweeping declaration, the hyperbole of elocution. It is not surprising, therefore, that Oscar Wilde's "lecture" was disappointing from the start. Appearing without the usual flowery introduction by a local orator, opening without even the accustomed salute of "Ladies and Gentlemen," the young man walked directly to a speaker's stand, on which stood a glass of water, and began to speak.[39] His voice was monotonous, deep and coarse;[40] he boasted an "apparently affected drawl,"[41] as well as peculiarities of pronunciation which were hideous to local ears. His speech was unpunctuated by pause or gesture,[42] and the most that could be said for it was that it was well-memorized.[43] Even the friendly Sacramento reporter was later moved to comment:

> His manner and method of delivery are insufferable. He could profit by six months' drill with a good master of elocution. . . . Nasal enunciation . . . the elocutionist's art can cure. . . . Mr. Wilde . . . never made a speech until he came to America a few weeks ago. . . . The art of declamation is a neglected one in England.[44]

Though it was admitted by all friendly observers that the young man's intimate conversation was charming, his style of lecturing was unhappily boresome. The above-quoted reporter impudently invited Wilde to remain in California for a much-needed course of instruction![45]

In a denunciatory paean of farewell, the editor of the *Alta California* later presented what purported to be a specimen of Wilde's speech and thought:

> "Heah in California you have be-utiful marbles, but what do you do with them? Do you, like the ancient Greek and Roman Republics, fashion them into be-utiful forms? I fear not. I fear that you u-su-al-ly convert them into steps for your dwelling houses. But if you will not use your be-u-tiful marbles for decoration, can you not at least inlay them with other marbles? . . ."[46]

Several critics were impressed by Wilde's peculiarly broad pronunciation of the word "dado,"[47] and other Oxfordian mannerisms.

As for the doctrine this Apostle came to teach, "the audience was not much enthused," said the *Alta California*,[48] echoed by the *Daily Exchange*.[49] The *Examiner*, however, reported much more favorably: "As soon as the first feeling of anxious wonder at the lecturer's appearance had passed away, they caught the infection of his enthusiasm in the subject and exhibited interest by marked attention and quite frequently applause and appreciative laughter."[50] Indeed, the newspapers were divided into two camps: those favorable and those unfavorable. The *Call*, enthusiastically enlisting itself in the ranks of the defense, stated somewhat sweepingly a few days later that "the Press everywhere . . . with the exception of *The Call*, in this city . . . have turned flip-flaps of vulgar blackguardism for the gentleman's amusement . . ." and, further, that the weekly papers especially had "exercised their distinctive abilities in . . . witless and illogical contortions of Billingsgate."[51]

Young Wilde had other equally eloquent defenders among the daily newspapers, as well as the small weeklies.[52] But his visit was made peculiarly notable by calling forth some of the most abusive statements, surely, that bitter-tongued Ambrose Bierce ever penned. In the small and sharp-spoken *Wasp*, Bierce's column of "Prattle" on March 31 contained the following amazing comments:

> That sovereign of insufferables, Oscar Wilde, has ensued with his opulence of twaddle and his penury of sense. He has mounted his hind legs and blown crass vapidities through

> the bowel of his neck, to the capital edification of circumjacent fools and foolesses, fooling with their foolers. He has tossed off the top of his head and uttered himself in copious overflows of ghastly bosh. The ineffable dunce has nothing to say and says it—says it with a liberal embellishment of bad delivery, embroidering it with reasonless vulgarities of attitude, gesture and attire. There was never an impostor so hateful, a blockhead so stupid, a crank so variously and offensively daft. Therefore is the she fool enamored of the feel of his tongue in her ear to tickle her understanding.
>
> . . . .
>
> The limpid and spiritless vacuity of this intellectual jelly-fish is in ludicrous contrast with the rude but robust mental activities that he came to quicken and inspire. Not only has he no thought, but no thinker. His lecture is mere verbal ditchwater—meaningless, trite and without coherence. It lacks even the nastiness that exalts and refines his verse. Moreover, it is obviously his own; he had not even the energy and independence to steal it. And so, with a knowledge that would equip an idiot to dispute with a cast-iron dog, an eloquence to qualify him for the duties of caller on a hog-ranche, and an imagination adequate to the conception of a tom-cat, when fired by contemplation of a fiddle-string, this consummate and star-like youth, missing everywhere his heaven-appointed functions and offices, wanders about, posing as a statue of himself, and, like the sun-smitten image of Memnon, emitting meaningless murmurs in the blaze of women's eyes. He makes me tired.
>
> . . . .
>
> And this gawky gowk has the divine effrontery to link his name with those of Swinburne, Rossetti and Morris—this dunghill he-hen would fly with eagles. He dares to set his tongue to the honored name of Keats. He is the leader, quoth'a, of a *renaissance* in art, this man who cannot draw—of a revival in letters, this man who cannot write! This littlest and looniest of a brotherhood of simpletons, whom the wicked wits of London, haling him dazed from his obscurity, have crowned and crucified as King of the Cranks, has accepted the distinction in stupid good faith and our foolish people take him at his word. Mr. Wilde is pinnacled upon a dazzling eminence but the earth still trembles to the dull thunder of the kicks that set him up.[53]

Something about the unsoiled lily-white hands and the delicate vaporings of this six-foot dandy, the complete absurdity of his whole body of disciples, if not of his own advertised doctrines, seems to have touched the quick of Bierce's contempt for the many things in Wilde so contrary to his own beliefs and experience. Bierce had known discomfort, suffering, and dirt; had traversed no academic halls of learning to perfect his polish or pen; had won what position and funds he boasted by his own endeavor. To his mind Wilde was doubtless an impudent interloper in the field of letters, since Oscar's early poems in themselves gave him small claim to prominence or originality. Even Joaquin Miller, local eccentric who followed much the same means for popularization of himself, if not his works, had for years been considered by San Franciscans as something of a joke: Miller invaded London with shoulder-length locks and sombrero; Wilde came to America in another version of the same costume.[54] It was not to be expected that San Franciscans in general would take the young poseur to their hearts, or accept him as anything more than a spectacle.

There were local protests to the strong abuse of Bierce's comment. In the following issue of his column and paper, Bierce defended himself caustically, beginning:

> To the many aggrieved correspondents and the few lachrymose personal friends who have done me the honor to protest against my ungentle—or as most of them prefer to say, ungentlemanly—rhapsody on Oscar Wilde, and who have made the novel suggestion that abuse is not criticism, I beg to make answer thus: 1. This is not a journal of criticism. 2. In Mr. Wilde's lectures there is nothing to criticise, for there is nothing of his own. . . . .[55]

Examination of the content of young Wilde's lecture on "The English Renaissance" reveals nothing remarkable or startling.[56] The sensation caused by the speaker's advent was publicity-born; Wilde himself denied the universal appropriateness of the sunflower as an ornament for the coat lapel, as well as many others of the absurd doctrines with which he was charged. The mental calibre of his ardent public is indicated in the quoted comment of one of the gushing ladies who bestrewed his path: "Oh, some things he says are real sweet, but for the most part I only get an idea of a smattering of something or other; but I know it's about art, and then I come home and do another plaque."[57] Many local women held themselves aloof in disdain for the popular craze[58] which seems to have affected only the more impressionable and perhaps "artistic-minded" citizens. Still, says Kate Heath, "I go about the milliner shops, and the 'leonine' sunflower stares me in the face from every window. . . . Within are decorations of the same, with rows of lilies. . . . Half-grown boys at twilight roam the streets with sickening attempts at witticism on the craze of the day, and in their button-holes and hats they wear full-blown calla lilies . . ."[59] Local newspapers reported that florists found a market for as many sunflowers as they could garner for sale,[60] and at least two pastors preached against Mr. Wilde from the Sunday pulpit.[61] Advertisers utilized the current fad by such references as they considered appropriate: for example, Sullivan's clothing shop offered new suits guaranteed as "Too Utterly Utt."[62] Granting that much of this public reflection was based on ironical humor, if not direct ridicule, it must be admitted that Mr. Wilde and his energetic agents succeeded in making a very marked impression on the California populace.

Oscar Wilde was touring primarily to lecture; but surely his personal purposes included, as would any young man's, a desire to see the new country to which he had traveled so far. San Francisco offered numerous attractions besides its lovely scenery. After one night to recuperate from his overland trip, the Aesthete settled into a heavy schedule of activities. On Monday afternoon, before his "English Renaissance" lecture, as we have noted, Wilde was escorted to the San Francisco School of Design and the Bohemian Club. The latter already-famous institution, professing to sponsor the arts, was housed in rooms somewhat staid and conventional; Oscar is said to have looked about him as he lunched, with the remark that he "never saw so many well-dressed, well-fed, business-like looking Bohemians in the whole course of his life."[63]

After his own appearance at Platt's Hall, Mr. Wilde was taken to hear California opera and "gallantly flung a bouquet to the prima donna."[64]

On March 28, Wilde crossed the bay to speak in Oakland. He appeared at Armory Hall under the auspices of the Oakland Light Cavalry and was greeted by a flower-bedecked stage and a responsive audience of moderate size.[65] The local editor of the *Tribune* took it upon himself to defend the "poem in knee breeches,"[66] assuring his readers that his theories coincided with all of Wilde's,[67] and announcing rather smugly, "We have no sympathy with that flippant folly that laughs at what it cannot understand."[68]

On March 29, Wilde reappeared at Platt's Hall for what was announced as his "positively final" lecture, this time on the subject of "Art Decoration! Being the Practical Application of the Esthetic Theory to Everyday Home Life and Art Ornamentations!"[69] His comments were in this instance closer to Californian experience; and, indeed, Oscar did not scruple to ridicule the "vulgar and unproportioned rooms," the "irrational monstrosity" of ladies' bonnets, and other phases of contemporary American life. His statements were practical, certainly applicable by his audiences, and contained such sensible platitudes as the pronouncement that "there should be nothing in a house that was not either useful or beautiful."[70]

The audience was rather smaller than on Wilde's first appearance, according to the reporters. The *Examiner* reviewer thought the lecture might have been shorter, but considered the audience patient and even amused by "the aesthete's expressions of disgust at the sad lack of taste evinced by Americans."[71] The *Bulletin* was superior: "The majority of his suggestions are already threadbare, and practiced by cultivated people here as well as elsewhere."[72] The *Chronicle* credited Wilde with a desperate attempt to improve his "elocution" and commented on the "cold, aesthetic stare" with which the young man transfixed late arrivals at his lecture.[73]

In the afternoon, before this second appearance in public, Wilde had been escorted by some unnamed local couple to Chinatown in San Francisco. Here he was amazed and delighted, and here, too, almost mobbed by spectators. The published account of the incident evidences a welcome touch of good humor in the young visitor's makeup. It was reported that, as police intervened in the confusion, Wilde "entered his carriage followed by the lady and her escort. The blinds were pulled down, but the spectators, bent on seeing the esthete at closer quarters, crowded forward and pulled aside the curtains, revealing the apostle leaning back convulsed with laughter."[74]

Following the evening lecture, Wilde visited the *Chronicle* building and, according to that newspaper, was loud in praises of its efficiency and design.[75] Then, with Charles Locke, his business manager Mr. Vail, and two local gentlemen, he returned to Chinatown. Special officers led him through all the "dens" and temples of the quarter: joss houses, Chinese hospitals, theatres, lodging houses, underground burrows, Murderers' Alley. The accompanying *Examiner* reporter quoted Wilde's comment that "this is just like a chapter from the Arabian Nights."[76]

On March 30, Wilde made a repeat appearance in Oakland, giving his second lecture to a somewhat larger crowd than that of two evenings before.[77]

On Friday evening, he appeared in Sacramento. For the benefit of the up-state residents, Wilde was "clad in a coat and vest of dark brown velvet, after the court style, with elaboration of ruffles at the throat and wrists, small clothes of like velvet, black stockings, and low patent leather pumps with silver buckles."[78] The audience at the Congregational Church was small; and even the friendly reporter who had greeted him on his arrival in California found his manner of orating "insufferable," as we have already noted. Nevertheless, the loyal champion of the "fair show" offered the sincerest compliments Wilde had won in California: "Mr. Wilde's lecture was one of clear-cut English, bold, incisive, poetical, graceful and almost winning in the beauty of his sentences and the delicacy of his periods."[79]

After this lecture, Mr. and Mrs. Charles McCreary invited Oscar to meet with the Bric-a-Brac Club at their "spacious new residence," where the doubtless bored hero was regaled by an exhibition of the "latest specimens of art and industry by the members of the club," as well as a program presented by local amateurs.[80]

Returning to San Francisco, on Saturday, April 1, the indefatigable young man offered a "special matinee lecture" on "The House Beautiful and Art Decoration," which was fairly well attended by a predominantly female audience. In the evening Wilde was a guest at a Bohemian Club High Jinks.[81] Tradition has it that he outdrank all his somewhat patronizing hosts and won such hearty esteem that one of the few member Bohemians of actual artistic profession was commissioned to paint a portrait of Wilde to adorn the club's walls and keep his memory green.[82]

Except for a lecture in San Jose on Monday evening, April 3[83]—an engagement evidently of no great importance—and a special request appearance on April 5 in San Francisco, Wilde spent the following week in less arduous service to his manager's ends. He was entertained freely, by artists, socialites, and men-about-town. That he found his San Francisco acquaintances agreeable was indicated by his current correspondence[84] and by his reminiscent comment some months later, to the effect that he had fallen "madly in love" in San Francisco—though the visitor seems, by his own statement, to have practiced a rather catholic habit in the assignment of his affections: "I have been madly in love five times since I have been here—in San Francisco, in New Orleans, in Kalamazoo and twice in New England—and I don't know what would have become of me if my agent hadn't dragged me along."[85]

Another pastime said to have attracted Wilde in San Francisco was gambling. There may indeed be some truth in the allegation; but certainly the prize legend of Wilde's fleecing two popular San Franciscans in a casual game at the Cliff House is authoritatively denied at its source. The tale was invented by the *Wasp* in the course of its campaign of ridicule, but its truth was scornfully denied by that publication a few weeks later.[86] Equally dubious is the *Wasp's* story of Oscar's snuffling rapturously at a branch of California's poison oak, to his consequent sorrow.[87]

The special lecture of April 5 on "Irish Poets of the Nineteenth Century"[88] was rather sparsely attended, despite the strong and patriotic Irish population of the city. *Patience* had opened at Haverly's California Theatre on Monday evening, April 3,[89] and perhaps the fervor of public curiosity was wearing off as quickly as it had been raised. On Friday, April 7, the week and Wilde's visit were climaxed by an afternoon "studio party" at 728 Montgomery Street, organized in his honor by Messrs. Tavernier and Strong, and by a dinner that evening at the residence of W. J. Callingham, where "the jollity was kept up till the wee sma' hours."[90] On Saturday morning, April 8, Wilde entrained for Sacramento, where he stopped off to give a matinee lecture on "The House Beautiful,"[91] then continued on his way to Salt Lake City and Denver.

Many San Franciscans seem to have sighed with consciously audible relief as Oscar Wilde departed. The *Call* had had the temerity to pronounce that Wilde had made "a palpable hit" in his San Francisco visit, in which, it was announced, he had been more successful "from a managerial point of view," than in any other city he had visited.[92] Other journalistic commentators considered the visit a flat failure. The *Alta California* restrained its most unkind comments until after Wilde's last lecture, out of respect for "the enterprise of Mr. Wilde's manager" and for such people as were "fools enough to pay a dollar and a half to listen to an hour and a half of monotonous platitudes, drawled out by a very badly proportioned six-foot mountebank."[93] The *Chronicle*, which had become progressively more sarcastic, summarized, after the "Irish Poets" lecture: "There has never been but one worse exhibition on a San Francisco rostrum than Oscar Wilde as a public speaker, the exception is Oscar Wilde as a public reader."[94]

The day after Wilde's final departure from the city, the *Chronicle* interpreted the effect of the poet's advent: "It can hardly be doubted that Oscar Wilde's visit to this coast has been a deathblow to that estheticism which, following the movement in England, developed here in the form of a taste for Japanese bric-a-brac and an insane desire to paint flowers on everything, even in coal skuttles."[95]

The dying spirit of the sunflower in San Francisco did indeed flare into final brief brilliance a week after Wilde's departure, when the Ivy Social

Club announced an Aesthetic Social—all males to wear knee breeches, ladies to carry sunflower fans which would also serve as programs.[96] But the affair had been planned for many weeks[97] and came indeed as almost an anticlimax after the affected young hero's disappearance.

Occasionally, in the weeks to come, San Francisco newspapers printed eastern dispatches about the progress of the itinerant Apostle—about his innovations in dress from time to time, his estimated profits, his shrewd remarks, his experiences with curious mobs. When beautiful Lily Langtry, proverbially adored by Oscar, who had compared her to the Greek Venus, came to New York and met young Wilde there, the encounter furnished a fillip to Aesthetic gossip. In the West the failure of Charles Locke, Wilde's western manager,[98] resulted in speculation and renewed jesting about Wilde's love of gold. Gleefully, as the year since Oscar's arrival in America was rounded out, months after his California visit, a San Francisco newspaper repeated words of a burlesque song celebrating not only Oscar's tour but that of Lily Langtry, whom gossip had treated almost as freely. One verse, marked to be sung by "Oscar Wilde, soprano," read:

Lily of Jersey! O, statue of Greece!
  O, Venus of Milo with arms!
Let's mosey off home with ten thousand apiece—
  The vulgar are tired of our charms.
Derision falls dead and the scandals are vain;
  Whatever detraction may do,
We each to the other shall ever remain
  Superbly too utterly too.

CHORUS: Come home! Come home! Lillie and Ossie,
    come home![99]

And home Oscar went, appearing publicly again in London on January 9, 1883, exactly a year after his American debut.[100] Oscar was "disappointed" by his American tour; his profits had been dissipated in that long autumn sojourn in New York; it was hinted that the Jersey Lily had spurned him for an American adorer, and that a bitter experience with a Manhattan "bunko" artist had embarrassed Oscar's pocketbook, as well as his spirit.[101]

Oscar Wilde had come to educate America, but reports indicate that America helped the youth through peculiarly individual growing pains. Returning to Europe, Wilde laid aside his breeches, cut his hair, and settled down to the serious business of establishing himself as one of the wittiest, most charming, and most unfortunate geniuses of English letters.

As for San Francisco, the city never saw young Wilde again.

NOTES

1. San Francisco *Chronicle*, March 5, 1882, quoting Boston correspondence.

2. Boris Brasol, *Oscar Wilde: the Man—the Artist—the Martyr* (New York: Charles Scribner's Sons, 1938), p. 93, denies that Wilde had any intention of advertising *Patience* in his American tour.

3. Thomas F. Dunhill, in *Sullivan's Comic Operas: a Critical Appreciation* (London: Edward Arnold & Co., 1928), pp. 84-95, offers a critical analysis and comment of interest. Note that the piece enjoyed an initial run of 408 performances.

4. San Francisco *Call*, September 1, 1881.

5. The San Francisco *Examiner* of July 2, 1882, contains a summary of Wilde's experiences in the East, copied from the New York *World*. For a very full and painstaking account, see Lloyd Lewis and Henry Justin Smith, *Oscar Wilde Discovers America: 1882* (New York: Harcourt, Brace and Company, 1936). This is so complete and detailed that only in minor details and additions has the present account supplemented or corrected the skeletal facts of Wilde's western visit as compiled by these gentlemen. See also *The Works of Oscar Wilde* (Sunflower edition, New York: Lamb Publishing Co., 1909): XI, "Impressions of America," with an introduction by Stuart Mason, pp. 241-62; and XV, W. F. Morse, "American Lectures," pp. 73 ff.; also Walter Hamilton *The Aesthetic Movement in England* (3rd ed., London, 1882), pp. 110-22; and Brasol, *op. cit.*, pp. 92-110.

6. Burnand, as editor of the English *Punch*, had published a series of Du Maurier cartoons ridiculing the Aesthetes of London, and had himself penned a satire, *The Colonel*, which preceded Gilbert and Sullivan's *Patience* on the English stage by some months.

7. The San Francisco *Vanity Fair and Golden Era* of March 11, 1882, quotes verses of the song.

8. See San Francisco *Call*, August 28, 1881, etc.; also *Chronicle*, July 2, 1882.

9. San Francisco *Alta California*, March 17, 1882.

10. *Examiner*, March 19, 1882.

11. *Ibid.*, March 27, 1882, list of hotel arrivals; also *Alta California*, April 6, 1882 (editorial).

12. *Alta California*, *loc. cit.*; also *Examiner*, March 30, 1882, etc.

13. San Francisco *Report*, March 27, 1882.

14. *Chronicle*, March 27; Sacramento *Record-Union*, March 27; Oakland *Tribune*, March 28, 1882.

15. See *Alta California*, Sacramento *Record-Union*, etc., etc., for this date; Lewis and Smith, *op. cit.*, p. 241, have erroneously accepted Wilde's date of arrival in Sacramento as March 25.

16. Sacramento *Record-Union*, March 27, 1882, "Oscar Arrives."

17. *Ibid.*

18. *Examiner* and *Chronicle*, etc., of March 27, 1882.

19. *Ibid.*

20. *Examiner*, March 27, 1882.

21. San Francisco *Report*, March 27, 1882.

22. But Wilde himself wrote to a friend that 4,000 people were waiting for him. Brasol, *op. cit.*, pp. 109-10.

23. *Call*, October 3, 1875. For description and view of exterior, see B. E. Lloyd, *Lights and Shades in San Francisco* (San Francisco, 1876), pp. 50 ff.

24. Mary Watson, "Oscar Wilde at Home," *Examiner*, April 9, 1882.

25. *Ibid.*

26. *Ibid.*

27. *Ibid.*

28. See Wilde's lecture, "Impressions of America," *op. cit.*, p. 256.

29. *Call*, April 6, 1882.

30. Lewis and Smith, *op. cit.*, p. 306, quoting Denver *Tribune* interview; also *Works*, IX, 126.

31. *Chronicle*, March 28, 1882.

32. *Alta California*, March 28, 1882.

33. *Examiner*, March 28, 1882.

34. Advertisement, *Alta California*, March 20, etc.

35. *Alta California*, March 28, 1882.

36. *Call*, March 28, 1882.

37. *Ibid.*

38. *Chronicle*, March 28, 1882.

39. *Alta California*, March 28, 1882.

40. *Ibid.*

41. Sacramento *Record-Union*, March 27, 1882.

42. *Alta California, loc. cit.*

43. *Ibid.*

44. Sacramento *Record-Union*, April 1, 1882.

45. *Ibid.*

46. *Alta California*, April 6, 1882.

47. Amelia Ransome Neville, *The Fantastic City* (Boston and New York: Houghton Mifflin Co., 1932), p. 242.

48. *Alta California*, March 28, 1882.

49. *Exchange*, March 28, 1882.

50. *Examiner*, March 28, 1882.

51. *Call*, April 2, 1882.

52. For favorable comment see: brief lecture report in the San Francisco *Evening Post*, March 28; the *Exchange*, March 28; the *Examiner*, March 28 and 30; editorial of the weekly *Vanity Fair*, quoted in the *Examiner* of April 3; etc., as well as Sacramento and Oakland papers.

53. *Wasp*, March 31, 1882, p. 198.

54. *Wasp* of April 14, 1882, p. 230, contains a cartoon of Wilde, Joaquin Miller, and an anonymous San Francisco dandy, labelled "Three of a Kind." See also editorial, *Bulletin*, April 15, 1882.

55. *Wasp*, April 7, 1882, p. 214.

56. The lecture has been preserved in Wilde's *Works*, IX: 103-17. Contemporary versions include a "Seaside Edition" printed from the text of the New York address and sold for 10c a copy; and California reviews and excerpts as follows: *Report*, *Alta California*, *Chronicle*, *Post*, *Examiner*, *Bulletin*, and *Call* of March 28, 1882; Oakland Daily *Times* and Oakland *Tribune* of March 29; Sacramento *Record-Union* of April 1, 1882. It should be noted that, according to the *Exchange*, the *Call* and *Examiner* copied stenographic reports of the New York lecture, instead of reporting the local version, which was not the same "by any means." *Exchange*, March 29, 1882.

57. Kate Heath's letter, Sacramento *Record-Union*, April 8, 1882.

58. Gertrude Atherton, in her *Adventures of a Novelist* (New York: Liveright, Inc., 1932), p. 183, states that her husband would not permit her to attend Wilde's lecture in San Francisco, while Mrs. Neville, *op. cit.*, p. 242, states that his visit "created no furor."

59. Letter to Sacramento *Record-Union, loc. cit.*

60. *Chronicle*, April 9, 1882.

61. Dr. Kalloch at the Metropolitan Temple on April 2 attacked so-called "Sunflower Aestheticism." *Call*, April 3, 1882. On the same evening the Reverend Robert Mackenzie

of the Howard Presbyterian Church indulged in a "scathing denunciation" of Aestheticism. *Examiner*, April 4, 1882.

62. *Call*, April 10, 1882.

63. *Examiner*, April 11, 1882, quoting from the San Francisco *News Letter*.

64. *Chronicle*, March 28, 1882.

65. Oakland *Times*, March 29, 1882; also Oakland *Tribune*, same date.

66. Oakland *Tribune*, March 29, 1882.

67. *Ibid.*, editorial, March 30, 1882.

68. *Ibid.* See *Wasp*, April 7, 1882, p. 211, for San Francisco's castigation of this impertinence.

69. Announcement in *Alta California*, March 29, 1882.

70. *Alta California*, March 30, 1882. For other reviews of this lecture see: *Examiner*, *Bulletin*, *Chronicle*, *Call*, of March 30; also Oakland *Tribune* and Oakland *Times* of March 31, and Sacramento *Record-Union* of April 1. The New York *Tribune* reported a later repetition of the lecture in full detail; see Wilde's *Works*, XV: 99-113.

71. *Examiner*, March 30, 1882.

72. *Bulletin*, March 30, 1882.

73. *Chronicle*, March 30, 1882.

74. *Ibid.*

75. Not so complimentary was the editor of the *Chronicle* who took occasion in a Sunday editorial to condemn young Wilde and his theories at length. *Chronicle*, April 2, 1882.

76. *Examiner*, March 30, 1882. The reporter spelled the last word "Knights," through some lapse.

77. Oakland *Tribune* and *Times*, March 31, 1882.

78. Sacramento *Record-Union*, April 1, 1882.

79. *Ibid.*

80. *Call*, April 4, 1882.

81. *Chronicle*, March 28, 1882.

82. *The Annals of the Bohemian Club*, edited by Robert H. Fletcher (San Francisco, 1900), contains no reference to this historic visit, which was, perhaps, righteously forgotten following the scandalous trial and imprisonment of Wilde in England in the nineties. Nevertheless, the 1882 secretary of the club, Jerome A. Hart, in his work, *In Our Second Century* . . . (San Francisco: Pioneer Press, 1931), gives confirmation to the story, which Lewis and Smith, *op. cit.*, pp. 255-56, further investigated and reaffirm.

83. See advertisement in San Jose *Daily Mercury* of April 2, 1882.

84. Brasol, *op. cit.*, pp. 109-10.

85. *Examiner*, September 3, 1882, quoting from an eastern letter.

86. The original story, published in the *Wasp* of March 31, has been accepted by Lewis and Smith, *op. cit.*, pp. 256-57, who evidently did not have access to the later denial in the issue of May 5, 1882, p. 275.

Another bit of manufactured information published in San Francisco was to the effect that young Wilde was married at the time of his arrival in the West. This may have been merely an extreme protective measure on the part of his agent. See the *Report* of April 3 and 18, 1882.

87. *Wasp*, March 31, 1882, p. 199.

88. Lecture reviews appeared in the *Examiner* of April 7; *Chronicle*, April 6; *Call*, April 6, 1882.

89. See advertisements and reviews in current newspapers. Mr. Howson was particularly praised for his clever reading of a Wilde poem interpolated in the comedy as a realistic touch. *Report*, April 4, 1882.

90. *Call,* April 11, 1882; *Chronicle,* April 10, 1882. Isobel Field has described the afternoon studio party in her book, *This Life I've Loved* (New York: Longmans Green & Co., 1937), pp. 143-49.

91. Reviewed in the Sacramento *Record-Union,* April 10, 1882.

92. *Call,* April 2, 1882; also *Vanity Fair,* quoted in *Examiner,* April 3, 1882.

93. *Alta California* (editorial), April 6, 1882.

94. *Chronicle,* April 6, 1882.

95. *Chronicle,* April 9, 1882.

96. *Examiner,* April 16; *Call,* April 18, etc.

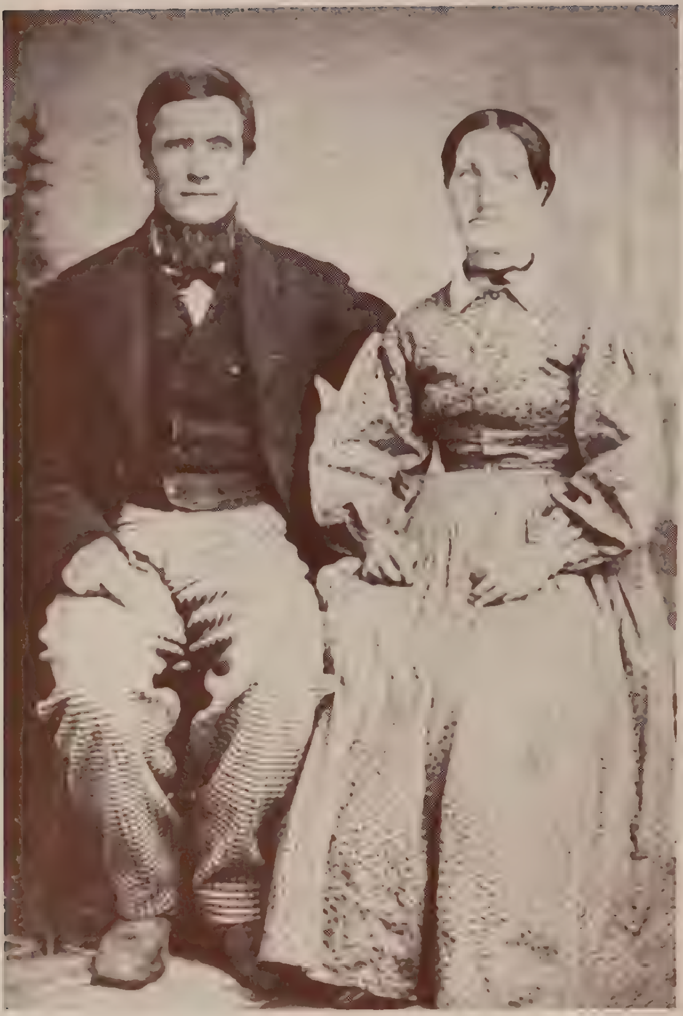
97. See *Vanity Fair and the Golden Era,* March 4, 1882.

98. See *Chronicle,* July 2, 1882, July 16, 1882; also *Call,* August 27, 1882; etc.

99. *Call,* January 7, 1883.

100. *Call,* February 11, 1883, quoting a London dispatch of January 9, 1883. Brasol, *op. cit.,* p. 123, states that Wilde sailed for England on December 27, 1882, "without much drum-beating."

101. *Call, loc. cit.*



JAMES AND ELIZA GREGSON

From a photograph taken in Petaluma about 1860

The Gregson Memoirs

JAMES AND ELIZA MARSHALL GREGSON, California pioneers of 1845, both left manuscript recollections covering, principally, the years 1845-50. The dictated "Statement of James Gregson" was sent by Robert A. Thompson, editor of the Sonoma *Democrat*, to Hubert Howe Bancroft, on April 16, 1876, with a letter requesting compensation for the clerical work involved. The manuscript is now in the Bancroft Library, at the University of California, Berkeley, and is printed here by permission of the Library.

In 1880, a *History of Sonoma County*, on which Thompson had done considerable work, was published by Alley, Bowen & Co. This contains a brief biographical sketch of James Gregson and also a portrait of him.

Feeling that the pioneer women had been neglected by the historians, Mrs. Gregson proceeded to write her own "Memory." This she did on the blank sides of old bill-heads, letters, and other scraps of paper. It was preserved and copied by her daughter, Mrs. Eliza Butler, and is printed here with Mrs. Butler's permission and through the courtesy of her son, Dr. Chester Gregson Butler. Dr. Butler has been assisted in annotating the manuscript by members of the editorial staff. A few parts of the original document have been lost, but the missing portions have been supplied from the copy.

To those interested in the history of the period, Mrs. Gregson's account will be of even more value than her husband's. Here is to be found a rare, detailed record of everyday life written by a pioneer woman. Her "Memory" begins with her life in England and includes her journey to the United States, her marriage, the hardships of the overland journey to California in 1845, the births, sicknesses, and deaths of her children, her husband's work for Sutter, the delightful Indian custom of skinning a coyote alive, the use of cow manure broth to break her husband's fever, the terrible experiences of the Donner party, incidents connected with the conquest of California, the discovery of gold and the resultant rush, the establishment of a home in Sonoma, and many other experiences known only to the pioneer woman.

James Gregson's "Statement" follows the general outline of his wife's account but gives fewer family details. A fair amount of attention is given to his experiences as a soldier, his land warrant for service, and his work with James Wilson Marshall, the discoverer of gold.

Of the two manuscripts, the "Statement" is the better written, probably because it was dictated to Thompson. Since it is a transcription and not Gregson's own writing, the spelling and punctuation have occasionally been corrected. In Mrs. Gregson's "Memory," however, the original spelling has been preserved, but in a few instances the paragraphing has been changed.

Mrs. Gregson's "Memory"

I was Born in the city of manchester [England] 1824 on the 15 of march lived there untill I was about 4 years old, & then went to A place calld Stockport. afterwards moved into derbyshire where we lived untill I was about 13 years. my memory ofton gose back to my childhood years at that place. wich was named pleasley. the people were old fashened & kind & many of them had lived there ever since they were born some of them were over 100 years old. majoriorty were staunch Methodists. I always thought they were the most contented & happy christian people I have ever seen in all my ramblings through life.

my parents [John and Anna Hughes Marshall] where both born in the north of england. my father was a man fond of company. & he was a good maschinist & made money fast but the worst of it was he could spend it as fast, while liveing at that place he made the acquaintince of some young noblemen & he learned to gamble as well as any of them which soon made my mother complain & so things went on from bad to worse untill we had to leave & come back to the north of derbyshire & we came to the city of manchester where we staid for a few months then moved back into the country to a place called by the name bugsworth among the coal mines & lime kilns where my father started a cotton factory for manufactering of very fine stocking yarn. but fates were against him & he failed. & to make matters worse he endorst a note for a man, & the man left him to pay it. so my father got togather all the money he had & left by the underground railroad for America leaveing myself my mother 3 brothers & one sister my eldest brother 14 years old & he a very delicaket boy, myself 12 years & the rest of the children younger and to small to do much work according to laws of engilsh laws every thing was sold under the hamer, my mother thought she would try & save some good blankets to cover herself & children. & to do so she told me to take them when the bumbailifs were absent and hide them in the top of the dary house chimnys that house was built on the side of a hill. the front faced the Valley & the dary wass partly under ground. by some means we were suspected & they found them & they were sold at auction leaveing us almost destitute

we then moved to a town called hayfield where my Brothers & myself got employment in a cotton factory. & we had to get furniture & beding for we had nothing. think of it californians where there are no factory bells to call you out at 5 oclock A.M. & work untill about 8 P.M. with sometimes milk & other times treakle & oat meal much [mush] 3 times a day. notwithstanding all this we got along very well. about this time my mothers sisters husband died in manchester & she with her two daughters came & made there home with us.

in the spring of 1839 my father paid our passage in New York. & we came across the occain my Aunts family with us. & we settled in the town of pawtucket R.I. & we lived there untill I was 19 years old when a young englishman [James Gregson] who used to live neighbors to us when I was a little child came to see us. in the spring of 1843 & we were maried the next 20 of october.

so from being a weaver in the cotton factory & my husaband a blacksmith & boiler maker, we turned our thoughts westword, We lived at his fathers house in philidelphia that winter & in the spring of 1844 we started leaveing all behind with just 18 dollers in 10 cents peices. Oh what a big lot of money to travle to illinois with we were young and detirmined to make a liveing away from the cotton shops. my husaband was not very stout & I thought that his trade was more than [he] could stand many years longer & that was the main spring to our proceedings.

Well there was to much fever & auger [ague] & we could not stand that. we could make a good living if we could only keep from shaking. so missfortuns seldom come alone. We had a sweet little babe born to us on the 26 of septembe[r] 1844. only to stay 3 months & then he died & we laid him away in the grave hopeing to meet again when our time on earth is past. again to[o] my father & mother had not lived agreeable & my mother & two Brothers & sister came to [Rock Island County] illinoise in the fall of 1844 & we all lived in a cabbin where there was holes in the sides that you could throw you hat through if you wished to. was it any wonder that we were sick or that our babe died. but there was no help for it. we were geting poorer every day.

so in the spring of 1845 we made what preparations we could all of us together & started for oragon. there was a great deal of talk about that country that we could get homes if we would settle on the land & that there was a big lot of land for A man, & A lot I forget how much for his wife & for each child if they would settle there Well we thought that was a good thing & away we started very poorly suplied in April 1845. it was estamated that it would take us 6 months so we accordingly laid in provisions enough for the trip. that is we thought we had but we were mistaken. We had 3 yoak of good cattle & one good wagon for 6 persons & our party[1] took one passenger in at bloomington [Burlington] Iowa & we had one tent & as few things as possable.

We had as good traveling as could be expected for people that was fresh from the city & as green as the grass in the feilds. from my childhood I allways loved to milk so sometimes we used to milk the cows as they [were] feeding on the [grass] along the road. that was before we left the settlements after that we fared rather hard. for traveling made us very hearty. nothing of espesial interest accord [occurred] untill we arived at fort Hall on snake river where we found that our stock of provisions was rather low we laid in a little more.

when we were a little this side of fort hall on snake river the provisions being rather low & the cattle being poor, myself & hussband we left our little party & got in with a man by the name of [Elijah] bristow[2] I did the cooking & washing & my husband drove the team into Call^{nia} our cattle was giving out so we had to cut the wagon down & make a cart of it & throw away some of our goods things began to look very scaly just then.

We traveled on a day or so & came across a party of emagrants bound for Callifornia & they were looking for recurits [recruits] so we joined their company wich was about 40 wagons in all[3] they had an old man by the name of Greenwood[4] for A pilot for the road was new & was but little known to any but the trapers. it was on this road the indians were very bad. When we came to marys river [the Humboldt] they began to molest us.[5] Sometimes when we were in camp in the evening our cattle would come runing into the Corrail with arrows sticking in their sides & most of them died one evening a pretty young hefeir came in with 2 or 3 arrows in her flesh so that she died & a doctor [Carter] in the company put some stricknine in the heifers meat & left it for the indians to eat,[6] 3 or 4 of the boys remained to watch & they saw the indians come & take it away I expect they had A Joly time of it.

at last we came to the Sierra Navada Mountains which seemed insurmountable it wass some time before we could see which way we must go, at last we had to take the wagons apart & take them up in peieces over the mountains & the poor cattle got ove[r] or rather they were draged up with bleeding shines [shins]. the folks got ove[r] as best they could & reached the summit & rested two days. next traveled another day & camped on the banks of a beautiful lake & I think it was lake taho[7] that night while all the camp was asleep we were awakened by A very loud noise & trembling of the ground. which proceedid from one of the campers had A barrill { was caused by the explosion of a keg of Powder in the wagon belonging to Jacob R. Snyder and Co.[8]

Well we still kept up the march day after day, ever watching and looking for the promised land. after many days myself with some other young folks climbed up a very steep mountain and there standing under a Manzinita bush we saw the valley below streaching far and wide like an ocean. it looked beautiful to us, for we were tired and weary of the mountains, but we were still 3 or 4 days travel from it. At length we arrived at Johnsons ranch on Bear river[9] from there to Sutters fort on the Sacramento river,[10] a part of our company went south to San Jose and others to Sonoma. Our family went to whip sawing for captain Sutter, on the Mocosomy [Cosumnes] about 50 miles south east of the fort.[11] There we staid until the 24 of December 1845 when we returned.}[12]

on the 25 of december 1845 two men by names of harry trow[13] & Ned Robetson[14] both english men who had been sailors they had been working with our men whiping sawing they came to us bringing with them An englishman by name hardy.[15] he wanted my husaband & myself to go & live on his ranch away up the Sacramento the ranch was on the west side of the river where the feather river emtied into sacramento were we entreded into an agreement with Mr hardy & trow to stay with them for 3 years. at the end of that time we were to recieve 1 league of land at that ranch. also 100-50 head of cattle for our servise which was taking care of said ranch. While they hardy & trow would go & work at carpentering for the spanyards. all apeared right for a time & they comenced to build a frame house as we were living in a tula wigwam. the said Mr hardy was a very morrose ill tempered man very seldom in a good humer. he had one little indian boy about 9 or 10 years old he used to vent his bad temper on the little fellow. the boy used to run & cling to me for procetion [protection] after a week or two the boy ran away & was not seen again.

one eveing in ganuary the later part of that month it had been rainging very hard & we were siting around our fire which was built in the middle of our wigwam Gregson & trow sitting at sort of a table playing some sort of a game to pass away the time myself & Mr hardy sitting by the fire converseing about england & our native towns. he said that he was born at runcorn & that his father & mother lived there. I told him the cercumstances in the year 1839 when our family were starting for the United Stats. our mothers thought it best for we elder children to go to mancheter [Manchester] on sunday & they would come on the railroad & meet us on monday morning on the New baily bridge. monday moring came but no Mothers so we 5 children the eldest about 16 years old we concluded to start & did so. we arrived at runcorn in the eveing. after taking our lugage on the bank & not knowing where to go. there was an old man standing there he was tall & gray headed a little peice from there was a long boat house & one dewling [dwelling] house. standing in the doorway was an elderly lady. in a few minuts she came towards us & asked what are you doing here where is your parents? We told her all about it. When the tears started & ran down her cheeks & turning to her hussband she said we must take these children in somebody may do as much for ours my coussan Sarah said have you children gone from home She answered we have one son gone away now You must come to my house & have your supper & ly down untill 12 oclock to night & then I will awake you & see you safe on the steam packet bound for liverpool. as soon as I had concluded hardy sprang up & exclaimed that is my father & mother. our conversation frequently turned on the same subject.

hardy & trow could not agree so after a short time they quarled & trow left & we could get nothing so we left & came back to the fort the agreement papers between them & us were in Captain Sutters possesions & they where at the hawk farm[16] which was distroied by fire about the year 49 or 50 so all was gone in that case. I write this on account of a lawsuit which took place in 1867 & 68 & Mr. hardy was drowned about the 1849. leaveing his ranch unsetled. he told me he had a wife & one son in england. Well we left him & when we were leaving he was sorry & beged us to stop with him as we were his own country people.

So in the latter part of April 1846 we returned to the fort & my husaband worked for Capt Sutter somtimes in the blacksmith shop & sometimes diging ditches for they had no fences around the farm. & there was no work for woman excepting a little cooking & very little at that. & our cloathes we had to patch untill the original peice could scarcely be found. our men worked for 1 dollar per day. & common dress goods $1 per yard. so it took $8 to buy 1 dress & our food was very coarse flour & sometimes pretty good beef no coffee or tea or sugar or Milk or butter. the flour being unbolted acted on us the same as medicen & making very bad work.

in 1846 the United States & me[x]ico went to war. & the war extended of course to Call [California]. in the early part of the year 1846 my husband inlistid in freemonts [Frémont's] batalion as a volantere he was stationed at the fort during that summer.[17] While some of the others went down [to] southerern Call.

now I shall have to refer back again to the year 1845 when we arived at the fort the governor of Call [Pio Pico] sent a writen document to Capt Sutter Autherizeing him to drive back the americans & not to let them stop in the country.[18] well most of the emigrants had but very little of anything left & it was out of the question. we could not & would not leave. it was then that the big hearted old Capt spoke in his useual way. by. Jo! You stand by me. I stand by you [to] the end.

Some ameracans brought general Valago [Vallejo] and his Brother Salvador Valago & 1 frenchman [Victor Prudon]. 1 amercan [Jacob P. Leese]. & 1 englishman [Robert Ridley] prisoners to the fort for safe keeping, & the few soldiers that remained at the fort kept gaurd over them. they were treated very kindly.[19] dureing that time we received rations.

now to show how the indians did with a thief the house we lieved in was two or three 00 [two or three hundred] yards south of the fort. one day while I was sitting doing little or nothing I heard some very loud yells I went for to see what was the matter & there was about 9 or 10 indians. & they had caught a large coyotay & they had skined him alive. & although it was a very hot day in July the poor thing would shiver as if he was freezing. & every time he would shiver the indians would dance & through up their hands & yell with all their might. there was a few white persons watching. I suppose the Mr Coyoty had been stealing their beef.

during the harvest time the Capt employed the wild digers [Digger Indians] & they would come in gangs of 50 togather & as naked as they were born. they cut the grain with sickles & Butcherknives. & they were fed on boiled bran sometimes a few beef bones thrown in their food was put into long wooden troughs & laid on the ground & the indians would sit on each side of the trough & scupe their mess with thier hands. & it was laughable to see them When it was two hot they would shake their hands.

there was a few white wimen besides myself. there was Mrs McDowel[20] & Mrs leihy.[21] & Mrs Montgomery in other years latter Mrs Wallace [Wallis] of Mayfield near S.F. city.[22] about this time I saw Mr Hardy & it was the last time I eve[r] saw him, the summer is past again & on the second day of Sep^{ber} there was a weding at the fort the mans name was Wyman & the girls was Amearci Kelsey.[23] and on the third day Ann E Gregson was born.

there are several incedents happened during the summer of 1846 one very warm day in July 46 I was sitting in my house when I heard loud yells outsides I arose & went to see what was the matter When lo & behold in front of the fort was 8 or 10 indians & 2 or 3 white men. the indians had caught a very large Coyiota in a trap. the coyota had been stealing their beef & they were punishing him for it. they had skined it alive & every time the poor thing would Shiver with pain. they would throw up their hands & yell with delight. So much for indian justise.[24]

during the years 45 & 46 & 47. I must [not] omit to name the families that was at the fort there was Cap John A. Sutter the oldest resedent & at Whose instigation the fort was erected to proctect himself & all others that might have need of it. the old Cap^{n} was very generous to a fault. so large was his heart that he could not say no, peace to his ashes. & there was Mr John Bidwill [Bidwell] who was the cleark for the Cap S. Bidwill was an honest steady sobber man useing nether liqure or tobacco & Gorge McKinstry[25] & Cap Kern[26] who was Fremonts draughtsman, over the paths to Call & among the familys in 46 & 7 where Jim Smith who married our mother[27] & they lived in one of the adobe houses outside of the fort & Gregsons who lived in one end room of the same—& a family named Mc Dowel[28] Mr & Mrs McD & 3 little girls lived inside of the fort Mr & Mrs leighy[29] & their 2 little girls, & they buried their oldest little boy,

there was a great deal of sickness among the emigrants & several deaths occord. there was a doctor Gilde[30] who said to the people if [he] was taken with that malarry [malaria] desease he knew how he would be doctored. bleeding was his theory, so he was accatked [attacked] with the same desease. so he requested one of the men to bleed him & and he died soon afterwards.

in the summer of 46 there was a commany of U.S. Solders stationed in the fort & I think it was the west side of the fort. that there was quite a lagoon of water where the indians used to wash & bathe. Well the Solders used to bathe there to. one day some solders & indians were washing & bathing When one of the solders was taken with the cramps & before any of the indians could get him out he was drowned & they buried him with milterry honers. I never learned his name[31] in the fall of 46 ther was quite a number of emigrants came to the fort but they scatered to other parts of Call. some few remained at the fort

now comes on another part of the war in Call Captain freemont was about Monteray & he wanted some horses that were away north of the fort & he wanted them brought down to him for his use & he said that if the few white men that was at the fort would volenteer, he would provide for their famieles & that they should receive solders rations. So Mr Gregson & others went & got the horses & drove them to Montrey. leaveing their famiels in charge of the Armerican Government intill the war should cease or stop.[32]

Well he went & left me & my little girl about six weeks old. to do [the] best I could. I got along pretty well untill nearly Christmass with nothing to do only take care of the little one, the worst of it [was] I had very little to eat & I got so thin in flesh that I could scarsely carry the few cloaths that were on my back. I was nursing a fat cross baby & had very little norishments—about that time Mrs leahy she says to me come & live with me & we will put our grub together it will be better for us both, as her husband was gone to so I moved the few things I had & stayed with her & Mrs Montgomery.

Well at that time we could hear nothing from the seat of war one day there came A man with letters to Captain sutter & Cap Kern stateing there had been a battle with the spanierds on the salines [Salinas] plains & there was 4 Armercans kiled & 7 wounded. with no names [mentioned] We few women where very uneasy about this time. for we did not [know] weather we were widows or not.[33]

about a week before Christmas it comenced raining as hard as it could for a fortnight without intermision & the whole of Sacramento was over flowde, & on about that week the man of war boat portsmouth came up from yerbobine [Yerba Buena] up the Sac^{to} to within 2 or 3 hundred yards west of Sutters fort the Captain & crew were very kind to us ladies Mrs leahy & Mrs Montgomery & myself & our famileys went to visit them, before they left yerbobino the people at that place told them that there were no ladies at the fort besides the squaws. & they were well pleased to find they were mistaken.

that winter was a very wet one & we were scarce of food and fuel & we had hard work to keep fires. the indians were told to suply us with fire wood but the whole valley [was] flooded to the foot hills & they had hard work to suply themselves as far as I can remember it was as bad as the year 1861 & 62, but there was no one to keep any account of it.

another itom which I must not forget I was liveing with Mrs leahy & in the same house with Mrs Montgomery. Mrs leahy had two little girls Mary Ann & liby. Mary Ann [was] between 4 & 5 years old. well Mrs leahy was very kind to me for which I hold her in greatful memery She had been teaching Mary Ann her letters as best she could. She asked me if I would teach her little girls to write as she did not know how herselfe I told her Yes I would & was very glad for I had no employment so at it I went during that time Mrs Montgomery would watch us with great interest. one day she says to me will you teach me Mrs Gregson. I looked at her to see if she was in enerst. & I told her yes if you want to learn. She said if you will learn me how to write I will do something very big for you if I am able. So I fulfilled my part but she forgot her part.

Well the winter passes away & early in the year 47 the startling news arives at the fort that some emigrants [members of the Donner party] had just come in from the sirranaveds [Sierra Nevada] almost starved to death. & that they had left a large party starving in the mountains. So what was to be done there was but a few people at the fort. & old Captain Sutter sent out his vacquars [vaqueros] that is the indians that he had trained he sent them out to bring in about 12 head of the fatest [steers] & they did as they were told. they killed the beefs & barbaqued the meat & packed it on the best mules that was to be found & started them off.

there was a few white men went along with the indians to rescue the starveing people. amongst the white men that went out was one young man that had just come in from the mountains he volenteered to go back again. he had no relations nor any intrest but humanity & a big heart promted him & taking of his waikcoat & his watch & a letter to be sent to N.Y. to his sister in case he should never return. poo[r] man he was froze to death.[34]

there was but a few white women but we did all in our power for them. in two or 3 weeks back again some of them came. the mules allmost all dead & 3 or 4 indians besides white people. & they wanted more food for the starving ones that could not come. I shall never forget the looks of those people for the most part of them were crazey & their eyes danced & sparkled in their heads like stars. among the first lot that came out were 18. 5 girls & wemen the rest were men. the[re] were only two men survived a Mr fowler[35] & Mr Edey.[36] & 4 of the females were named Graves[37] the youngest one was about 11 years old & one maried lady Mrs Fosdick[38] her husband died & she buried him in the snow.

praphs I might as well speak a little more about Mrs fosdick. the wemen would take the lead over the snow & beat the track for the men to walk in. but for all that the men sunk down & died. the wemen even led them by the hand & made the camp fires & gave them food one morning Mrs fosdicks husband was dieing he tried to travel but did not succeed & the rest of the party could not stop for him to die. So she told them I will stay with him untill he dies You go I will overtake you in about 2 hours she was seen coming with her husbands black silk Neckercheif around her neck She told them he is dead. Fowler said can we have him to eat. She said you cannot hurt him now. so some of them went back & brought some of his flesh & cooked it. So speak about womens rights say they are weak & ought to have no rights.

the second party that came out were Mrs reeds family[39] & one servant women[40] & a part of the two donners familys. Jake & Gorge donner the[y] were two brothers with their wifes & children. of the gorge donner family[41] there was 5 girls elithey [Elitha] & Leah [Leanna] & frances and gorgeana [Georgia] & Elza [Eliza]. of jake donners family[42] two sons 1 was gorge donner & one girl named Mary donner. poor girl both her feet were frozen & they were in shocking condition the flys had blown them & there was maggots in them & she suffered a great deal. there was a doctor at the fort he came & put some medesien on them but her feet was ruined[43] another women by the name of Kesburg she left one dead baby in the camp & started with one little girl 2 years old it died & she had to bury it in the snow. She left her husband behind I shall speak of him

{They left old Mr & Mrs [George and Tamsen] Donner with no one else but Keysburg [Lewis Keseberg] whose cabin was about 8 miles this west side of the nevada line. The old man Donner was too sick to travel and one of his hands were very sore. Mrs Donner would not leave her husband. So they left her some beef and promised to return for them in a short time. Mr. & Mrs. Jake Donner died in a short time after the arrival of rescueing party to them. In due time the men went out again and the weather was getting milder and the snow not so deep in the mountains. The first camp was Keysburgs they found him in his cabin cooking his supper of human flesh. they followed the tracks to the other camp but found no one, but the foot prints of Mrs Donner where she had apparently been cutting meat from a steer which had been buried in the snow, showing plainly that she had not died from starvation. returning to Keysburgs camp, they asked him where is Mrs Donner? He said she died and he cut her flesh up and had it in a box and her husbands too for there was the sore hand. There were boxes filled with human flesh all cut and packed in butcherly style. The next thing where was her money, for Mr & Mrs Donner had about $800.00 dollars it was not to be found Keysburg denied any knowledge of any money.}[12]

so that one man by the name of big Ofallen[44] put a rope around his neck & strung him up to a tree two or three times untill he was black in the face. & then he told where there was $500 but would tell no more. so they brought him down to the fort. where he & his wife stayed that winter.

one day old Mrs Lenox we thought we would like to see the maneater I told the old lady you go in first & I will follow. during the conversation Mrs Lenox asked him how human flesh tasted & he said it was better than chicken & several times that winter his wife would arrouse the people by screaming murder at midnight she said that he wanted to kill her. Kesburg got offended at the folks for saying that he killed Mrs Donner & he sued them at law. during the examination he said that he got 4 pounds of tallow out of her. once he called one of the little donner girls to come to him but she answered him no you killed my mother he stayed about the fort for some time afterwards I saw but very little of him[45]

{So the spring of 1847 came and the war being ended, the soldiers began to come back again, and we women would watch for any news, at last they returned, and some of the friends that I had been with all winter went to San Francisco. But we stayed at the fort, and Gregson and Mr. Lenox engaged with Capt Sutter to go upon Bear river and get out Mill-stones for him, which they did.[46]

I wanted to move to Yerba Buena as it was then called, but my wishes were not not considered and we then with Lenox's, moved to the tan yard on the American river and stayed that summer,[47] and in the latter part of the summer Gregson along with most of the people, was taken down with the Sacramento fever, which came very near taking his life, so near that the doctor[48] came in for his pay, and we gave him all [the] cows and horses we had for money we had none. The doctor thought my husband would die in a few short hours My mind was in a terrible state for what could I do. The fever was raging and he was delerious. I sat down and thought and I asked the old lady Lenox, is there nothing I can get for him I must do something or he will die, and you are a western woman can not you tell me of something some herbs? she answered no. Then I went out in the fields. I could find nothing no not even a blade of grass. All that there was, was some cow manure and it came to me, the cows have eaten up all the grass and herbs, why not the manure make a good medicine. So I took some of it wrapped it up in a cloth and boiled it then I filled a pint bowl full and took it to him. When he saw it he said, You want to poison me. I told him no see me drink. with that he took the bowl with both hands and drank it all and went to sleep.}[12] slept 3 or 4 hours but the fever was gone [and he] himself [was] as weak as an infant.[49]

during this time myself & my babe was sick but not as sick as the men & the indians suffered tererable they died almost in heaps & was not able one to bury the other when he died my husband recovered his health partly but not fully for a long time. but he went back to work again. & our little girls health being in very poor state in October I had a chance to go down to San Fran^{co}[50] I took her down so to see if it would not do her good & while there we stayed with Mrs leahy she was very kind to us & as she had several boarders I did all the work I was able so to help pay our board my babe remained sick & one day I watched her expecting every hour would be the last When she reveived a little I took her to doctor leavensworth[51] he was very kind & would take no pay & the little one recovered.

then I wanted to go home but there was no conveyance & I had to wait. mind in those days there was no steamboats or any other boats but a little la[u]nch belonging to Sutter & it had no regular runing {One day there appeared a little steamboat[52] she was sailing on the bay she was a pretty little thing, the first one that ever steamed across the bay. Her name was Sitka. They were going up the Sacramento river to the fort. So Mr. Leahy engaged a passage for me and my child. So I naturally thought I shall be at home in a day or two. But I was sadly disappointed. It took 9 days and nights to steam up that river. The boiler leaked, and I do believe that I could have walked home quicker. To make matters worse we were short of provisions and I did not mind for myself but my little girl fared badly. So we got home the day before Christmas day 1847.[53]

And after a few weeks which was in January we left the tan yard and went to live at the sheep corral.[54] Mrs. Lenox and myself we had each one a house to ourselves and there was a small store close by. The proprietor was a Scotchman I have forgotten his name. He left the store in charge of another man named Coats.[55] The store was robbed one night while Coats was away and the thief escaped.

It was about Dec 1847 when the mill stones were finished the grist mill was being built on the American river about 3 miles across in an easterly direction from the fort.[56] At this time Sutter engaged my husband and I to go to Coloma. My husband to be the blacksmith for a saw mill which was being built by Capt Sutter and James Marshall. Myself to cook for the hands which were about 15 men. One man by the name of Bennet,[57] the others I have forgotten. Well a day or two before we started which was about the last day of Dec. [Several lines have been erased here.] The weather was rather bad and it took us two days and a half to make the trip. We reached our destination just about 11 A.M.

The Indians that were about had never seen a white child, and it was soon noised abroad that there was a white child on the place and the Indians came from a distance of 40 miles to see her. They would come to the door and look and then they would cover their faces with their hands, and were very much astonished at the sight.}[12] they even went so far as to pinch her shoulders & pull her hair to see if she was a real human they were very fond of her one squaw wanted me to swap babes with her.

after a week or two we heard that the mineral that was taken out of the tailrace of the sawmill [was gold] & the hands would occasanale bring in a little gold dust

after a while I got tired of seeing nothing but squaws & I wanted to see a white woman again so they took me and my child about 15 miles to a place I think it was the dimond springs to see Mrs Wimmer & her family[58] I stayed two days & nights & then returned home. {Well I found her camping out and Sleeping in the wagon. she was very glad to see me and we did not sleep very much, but put in the time talking while I stayed, which was two days and nights, and then I returned home. She showed we while there a nugget of pure gold nearly as large as my thumb. William Scott who had been stopping with the wimmer family had found it the last of January 1848, and there was no gold excitement at that time.[59] The exact date on which gold was really discovered, I am unable to state as it was some time before we could believe that it was real gold. In a few days however after we got settled at Coloma The work hands were digging the tail race at the mill, and one evening they had turned on the water so as to sluice out the dirt. The next morning Jas Marshall and Pete Wimmer were standing on the bank examining the work, when Marshall said to Wimmer, "What is that glittering down in the tail-race?" Wimmer jumped down and picked up some substance, which proved to be fine scale gold, and there was no other kind of gold found in that place, as we afterwards learned. The work hands would occasionally bring in a little gold dust.}[18]

about this time there was a man named humphrys[60] he was a minealoligist [mineralogist] & so [when] the weathre opned out people began to come into the mines one man by the name of turner[61] [came] & brought his daughter Mary & I persuaded him to leave her with me untill he went to bring the rest of his family & he did so which pleased me very much She was about 16 years old. one day as our work was done we went down to the mill which was about half a mile down the hill. & we thought we would wash out some dirt & try to find gold well we saw something shining in the bottom of the tailrace so we got down & gathered some. but turning to my companion I said this is too light & if we take this up to the house the men will laugh at us so we went home no better than we was.

by & by her parents moved into the mines & camped close by us. I must say here that for about 3 months we our liveing was very poor We had salt beef so poor & salty that it looked like blue flint—& salt Salmon too salty & oily that it was not fit to eat & boild barley sometimes boiled wheat & peas dried neither bread or Coffee or tea or sugar. 1 keg of Butter strong enough to run away of itself so that is the way we lived for about 3 months.

about this time gold hunters began to arive with pans & in A short time the new[s] began to spread far & wide about the first of May some men came up from Sonoma & told me that my little sister Mary Ann was married to a Doc. Ames an assistant Doc in the N.Y. Volunteers[62] she being only a little past 13 years old.

somewheres about this time old James Marshall & J gregson went prospecting for gold a little further up the river than they had been and they found plenty of scale gold my husband asked Marshall to divide with him.

he very quickly answered no you are working for me. Very well says gregson I will work no more & I shall gather gold for myself which he did

now the people were coming in from all parts of the of Call & chili & by & by the oragononians commencing to arive early in the gold excitement Mr Gregson made the first pick & afterwards made a good many picks & drills for the miners. & the men stopt working on the mill every thing was gold crazy run away sailors and solders came into the mines my mother & two brothers & my sister came to hunt for gold. my sisters husband had deserated & she did not know where he was at that time. Somwhere, about July or august he came into the place where we were living & we were hideing him for fear of him being arested. at this time Mrs Wimmers little boy was born[63] & we had to bring him out to light as there was no other Doctor.

in 1848. goods began to arive in the mines & every kind was very high prised flour $1 per pound. Coffee $10 per pound tea $18 per pound & other things in proporsion eggs $18 per dozen. $1. yard for common calico. We wemen folks took in all the sewing such as makeing overalls We could make $10 per day.

there was several families camped arround us & there was a store started. & another house built covered with canvas also some houses built down on the flat close by the Mill & the wemen folks got plenty of sewing to do but salt & bad living so long began to tell on my husband & little girl they were both taken sick & no one knew what was the matter my husband was scarcely able to walk & on the 25 of september my daughter Mary Ellen was born[64] that same day my other daughter was taken down sick & did not walk for 7 months afterwards: & there I was with two sick ones & myself not able to help either one of them. We paid Doctor tenent[65] $300 but he did not know anything. so that was all the same as thrown away. after staying there untill the latter end of October 1848 the doctors told my husband that he must leave that part of the country or he would die.

So we engaged Robert Spence[66] to move us away to sonoma. & every day that we got aw[a]y from the mines he got a little bit better & when we arived at Sonoma he could walk pretty well & he began to get well very fast. not so our oldest daughter her teeth droped out of her mouth & she was a poor sick child for some months during [which] I took in washing & ironing & sewing to help suport my family. the prise of every thing was very high Well so we worked along that winter as best we could I would sew untill 1 or 2 oclock in the night & in the day I would wash & take care of the two babes

in the spring of 49 he [Gregson] was feeling so much better that he [decided that] he would try the mines again so he started off leaveing me & the two little ones. I still did all the work that I could get to do. during this time there was severall families living in sonoma valley there was Mr & Mrs

Bruner[67] & they were taking care of goargannia & Eliza donner of the donner party & Mr & Mrs Carerger,[68] & John & tom hopper[69] & old valayo [Vallejo]. it would take a long time to write every incedent that occord during this spring suffice to say nothing of any importance happened untill a man by name of Wm Scot died[70] he came through to Call^ornia the same year as we did

Shortly after that a sailor stoped at my house for to light his pipe & being alone with my two little ones I was somewhat afraid when looking at my children he asked what was the matter with them & where was my husband I told him that my man was somewheres in town & that both my little ones were sick. the oldest one had not walked for nearly 7 months & the little one had a blood tumer growing on her face between her eyes.[71] he said he could show me a herb that would cure annie but the other one he could do nothing for her, so he told me to get some marshmallow & boil it & give her it to drink & also to bathe her in it & he said she would walk in two weeks. I did as he told me & sure enough she got up on her feet in less than two weeks & walked. She startled me one day by holding up both her hands & saying see mama annie can walk.[72]

during the winter & spring of 1848 & 49 & all through that summer I took in washing & sewing to support my familly & I toiled as best I could. the reader of this must not suppose that I had no enjoyment or friends for Mr & Mrs Bruner where very kind & got me employment so that we did not lack for food or cloaths, although it took all that I earned. again my husband returned from the mines sick. & in the fall of 49 my mother & sister Mary ann & two Brothers left the mines & came down to sonoma. & my Brother Henry & my husband went up to suttersville[73] on the sacramento & there bought lots & built adoby houses & the winter of 49 & 50 it rained so hard & the overflow washed them all away so were left without any recorses that is without any money again.

during that fall the tumer on babes face had grown to the size of an egg & it was expedient that it must be taken off so it happened there was an army surgioun in town & he with the help of my Brotherinlaw Dr Ames the work was accomplished the fee $100 and 50 that was our first going in debt so what with debts hard work & little means we remain poor untill this day.

Well in the year 1850 my husband & my Brother henry[74] came out to green valley in analey township. & they went to Capt Cooper[75] & got a permit to settle on the ranch where we now reside. Mr Gregson & Henry marshall & John came out here in January 1850 & built a log cabbin & made some fences & got some potatoes of Cap [Stephen] Smith of bodago [Bodega] paid 10cts per pound, the first planted in green valley on the 1 of May 1850 I started with Mr & Mrs [T.] Churchman[76] with oxen in the wagons slow traveling We were 2 days & two nights We had to camp out the weather was very fine, & when we came to green valley it seemed almost like a paradise it was like a picture grass & clover & flowers in abundance the grass was as tall as myself.

Well we staid for about 1 month in the mashall cabbin dureing that time gregson & the boys raised another log cabbin on the gregson ranch, so we moved into it & set up housekeeping with what little we had. the deer was plenty & when we wanted meat our men would go & kill some. I tell you it was rather lonely for some time. the churchmans family went over into the other valley & settled there after a time some others like ourselves came into the Valley to squat on Coopers claim & so it remained in green Valley. in June & July 1850 Mitchill Gilliams[77] with his family & a man called major I. W. Sulivan[78] came & settled on the left side of our ranch, & also lank [Lancaster] Clyman[79] & family settled on the other side that is west of us & a little to the left of us. others came in untill the Valley was pretty well settled, between here & petaluma there was no settlements, & there was plenty of elk & the men of the Valley made up a party about the 1 week in July & started hunting elk & they came back on the eight. now I must tell a little about myself a night or 2 before the men went out hunting in my dreams of the night I saw a white garment spoted with bright blood. I was rather uneasy & I did not want gregson to go for fear that he would get hurt some how, & I did not rest very good untill he was home again. Well on the 9th day of July about 9 oclock in the morning the hawks were very bad & they would come almost into the house & pick up a chicken gregson snaped his rifle two or 3 times & he laid it on the table to fix it. I was sitting in front of the door with my 2 little girls one on eather side of me. I was feeling rather sick with the head ach when the gun hammer went down & shot me through the left shoulder making a bad wound but not fatally & then I saw the same cloth with spots of blood it was 3 months before I was healed. & on the 24 of September our son William F was born I must not forget to say that all the neabours were very kind unto us during our misfortunes & sickness Well we did not raise much produce this year but still we did not starve quite

in the winter of 49 & 50 I sold a roan horse for $100 With the proceeds I bought the flour to do us during the first year in Green Valley. I also brought a cat & kittins & we had one black horse old nig he was not a work horse so Gregson had to borrow some mony to buy a yoke of oxen so that he could haul rails to fence in some land & brake the sod so as to plant potatoes & some garden vegetabls

Sometime in august 1850 my sister Mary Ann Ames & her husband came out from sonoma Valley & took up their abode with us & they had a son born about the 24 or 25 of october. he lived about 4 weeks when by some mistake she gave him some medesane which caused his death the same fall we had a sick man by the name of fred Starkey[80] but he got well & left soon afterwards Mary Ann & Doc moved into thier own little cabbin a little futher up the Valley. the year of 50 is past with its privations its accidents & sorrow & some enjoyments & myself & 2 little girls & 1 little boy we spent our christmas with our Mother Mrs Marshall.

1851 after a rather stormey winter [with] plenty of work [there was] nothing for both myself & husband provisions high cloaths high prised & very little coming in making everything hard on us, & to make matters worse we just began to get letters from his kinsfolks in the east then we learned that Mr & Mrs Gregson were both dead & the rest of the family scattered or maried & the youngest boy John gregson was in the Orphan Asiulm. Well richard gregson wanted to come out to Call^na after a time father borrowed $300 to help him & he concluded that it was not enough & he never came & we had to foot the bill so what with one thing or another it kept us on the bed rock with plenty of work & but little pay. & fathers health not good if he went to work a day he would be taken down sick so we had to hire a good deal.

& in 52 we had another boy born on the first of Sept so making one more to cloath & feed[81] about this time old Johney Moor & gregson started a blacksmith shop on the hill Well it did for a while but the benifits were all on one side & we came out the losers

In 50.1 [1851?] gregson went upon the hill to see if [he] could get some deer meat & being tired he sat down to rest right on the spot where we now live. Well he with some hired men went into the woods & cut down trees & scored the logs & with help he got them out & hauled them here & as was [the] custom the neighbors all turned out to raise a hewed log house & green Valley was pretty well filled with neighbors by this time. we moved into this house on the 20th of October 53 & it was only half finished for seaverall years.

about this time Newburg & bernhard kept a store near freestone[82] (but before this Miller & Walker opened a store a little the other side of Sebastopol)[83]

in the spring of 54 on the last day of May another daughter was born to us[84] somewheres in the summer of 54 I [think] it was the neighbors began to want their claims surveyed & Cap Cooper came into the Valley to look after the land & received pay for the same. [Here a few words have been cut from the bottom of the page.] our line & Henry Marshalls the surveyor mark & it did not sute. We gregsons had been paying taxes for more land than we had inside our fence & Marshall had it surveyed ove[r] twice & he was not yet satisfied but wanted it done over again but the surveyor Mr Gray[85] told him that it was right & that he knew his bissiness better than mashall so that ended that part & we was in possesione of our rights (160 acaers) We fenced in our ranch planted some Apple trees & grape vines & so this classes & all we can make goes on to the farm again

. . . . in the early part of 52 [possibly 53] my Brother Henry & my mother went on a visit to the eastren States—namly Mass & R.I. to see my eldest Brother F Wm. M. who never left there. it was during that visit that my Brother henry became acquainted with Mary Jane Coterril & latter in that year he married her & a few weeks latter they all came back again to Call. & they lived [in] a adobe house down below where they live now. my children called her our new Aunty—

Well nothing of importance transpiring only the common routine of business incdently to farming & such kind of work. such as ploughing & clearing planting out orchards & vineyards & raising stock & milking cows trying all ways to make a liveing & our girls & boys getting large enough to help us. so that we might be able to pay our debts

& on the 5 of Oct 1856 our son Henry M was born in 56 our country about sonoma county begins to improve, towns springing up all over & the people building houses & leaveing old cabbins to be used for outhouses. & the people begin to talk county fairs & improve their stock. & farms improveing more & better fences & more usefull emplements to work with

At healdsburg the first county fair we recieved a silver butter knife for the best butter.

Well passing along we have another daughter born to us the 20 of March. 1858.[86] caroline one more daughter born to us on the 29 of October 1862.[87]

there are but few persons that can write their history while they are alive sufice it to say all our children are maried & scatered over the land & myself & husaband are almost alone as we were 42 years ago.

Statement of James Gregson

I was born in England and came as a boy of twelve years to Philadelphia[88] and went to Illinois in the spring of 1844 and with my wife joined a train for Oregon at Independence in [April] 1845, and at Fort Hall we determined to come to California. There we met Greenwood, the mountaineer, who told us we could get land of the grant holders and agreed to fetch us in. He got $2.50 apiece to pilot us in to California. There was in our train about thirty wagons and perhaps —— persons including men, women and children.[89] Near Fort Hall we fell in with Jacob R. Snyder[90] and Judge Blackburn[91] who were travelling with pack horses. They came on with us. With our party came George McDougal,[92] a young man. He was brave and handsome. He joined us at Fort Hall, and also Knight from whom Knights Valley is named.[93] The Elliotts[94] were along, and John Grigsby,[95] and the McChristians and family,[96] and the Hudson family.[97] We had no trouble at all at the sink of the Humboldt [except that we] had a few shots fired into our cattle. Ide, who issued the proclamation at Sonoma,[98] was also along. He was a prominent man; he was well provided.

We got into the Sacramento Valley the last of October, and went to Sutter's Fort, and there I was employed as a whipsawyer with Henry Marshall who came out with us. The lumber was to build a schooner on the headwaters of the Cosumnes River, fifty miles from the Fort. We cut a good deal of lumber. While there an Indian came in who had never seen a white man; he had a hat made like their baskets and all covered with feathers. I traded him a white shirt for it, and afterwards traded it to a Mormon for a horse. We went in to the Fort in the fall of 1845. Captain Sutter sent for us, and the lumber got to the Fort a few days before Christmas. He gave us $30 a thousand for lumber payable in goods.

We then entered into a contract with Mr. Hardy who owned a great estate at the mouth of the Feather River where the town of Sacramento was.[99] We stayed with him three months, doing general farm work and living in a tule shanty. I only stayed there three months and then went back to Sutter's Fort. Hardy fell off of a schooner in Suisun Bay and was drowned.

I went to work digging a ditch for Captain Sutter with Henry Marshall, at $2.50 a rod, a foot wide at the top and four feet deep, and two feet at the bottom.[100] We worked at this Fort until the war began. When we first came in we heard that Sutter was favorable to the Americans. Then I went to work for the Captain at anything he wanted. Soon after we got in, a proclamation was read notifying the Americans to leave. After it was read Sutter told us to stand by him and he would stand by us.[101]

Frémont came to the Fort in February 1846. In the fight with the Klamath Indians Captain Gillespie killed an Indian with a coat of mail made of wood slats and a warp of sinew. I saw the coat of mail when it was shewn to Captain Sutter on his return. Captain Gillespie afterwards commanded sixty men as volunteers.

I was at Sutter's Fort when Vallejo and the Bear Flag prisoners [were there and] took my regular turn as a guard of the prisoners. I had been enlisted into the services of the United States for three months at $12 per month. [When I] guarded the men they all appeared quiet. We used to take them out to exercise—Bob Ridley, J. P. Leese, Victor Prudon, Salvador and General Vallejo—then stood guard over them. I stayed there until they were released on parole. Then I enlisted in the California Battalion in Captain Brown's Company and went down to meet Frémont at Monterey. We had no trouble until we got to San Juan South. We had twelve Walla Walla Indians along, Captain Burris [Charles Burroughs] in command.

We saw the long glittering lances of the Mexicans as we got into the plain. We were joined about this time by Captain Weaver [Charles M. Weber] and thirty men which gave us about sixty men. The sun was about an hour high when the fight began. We had eight hundred head of horses and four pieces of artillery. We put the horses in the corral at the Gomez ranch and left a dozen men to guard them and took part and fought two hundred Mexicans with fifty men. We formed in line and counted off. Captain Burris [Burroughs] said for No. 1 to fire while No. 2 was to hold his fire, but we soon got mixed up and fired on the Indians who were in advance and fell back, and the Mexicans charged us boldly and we give them the best we had and charged at them. I was close to Burris [Burroughs] when he fell, the captain of the Mexicans killed him, he rode up close to him, and fired, I thought with a pistol. Burris [Burroughs] was killed before we could get him to the rear. We lost a man named Ames and Billy the Cooper of Weaver's [Weber's] Company, and Foster who was a lieutenant. All killed with musket balls or pistols.[102]

After the charge we held the ground. We thought we killed ten of the Mexicans; they retreated. We went to Gomez's house and got two men to go to Monterey and tell Frémont we were there—they got in safely and told Frémont. We buried our dead, when Frémont came up with three hundred men and we all then went to the Mission of San Juan and encamped. Most of us were enlisted into Captain Ford's Company.[103] [We stayed] at San Juan three or four weeks, then started for the lower country with Frémont. I think he was a confounded scamp and a coward.

We crossed the Santa Inez Mountain on Christmas day in a dreadful storm, lost fifteen head of horses, left cannon on the mountain and went down a trail. We might have gone through Gaviota Pass. One of the most noted things that happened was just before we got to San Luis Obispo on the Salmon. We captured an Indian with dispatches, shot him and went on to San Luis Obispo and caught Pico, caught him in bed, surrounded the house and took him down to San Luis Obispo that night and tried him by court martial. [He was] found guilty of violating his parole and sentenced to be shot. We thought he would be shot. We were marshaled out and Frémont released him on the condition that he would stay with and pilot us over the mountains. His family came and begged for him. The boys thought it was a shame to kill the Indian and not Pico.[104]

At Santa Barbara we had no trouble. We lived on beef, had no bread. We had with us about 450 men. As we left San Buena Ventura the Mexicans rode up on top of the hill and the next morning we marched out in battle order, artillery in the center. The Mexicans came out and Frémont got scared and ordered us up a hollow. We could not get through and had to come back, and camped on the Santa Anna River [Santa Clara River]. There we had no trouble until we got to Los Angeles—and had none there.

I came up by land to San Francisco in the spring of 1847 with ten Mexicans. We were given ten dollars apiece and indebted to Major Reading for this.[105] We came up by the coast. All shipped at Santa Clara and I went on to San Francisco and gave up my horse. I was in San Francisco without money, and I had to buy clothes from a sailor. I was standing on Black's Point.[106] 1st Lieutenant Revere[107] came up and asked me what man-of-war I belonged to. I told him I did not belong to any. He asked me if I had no coat. I told him "No" and showed him my papers. He told me to come the next day and he would give me a coat, which he did. I had nothing to eat and asked him if he could not give me an order to get something. He said that he had nothing, but to come tomorrow and see Captain Dupont.[108] The next day I met Captain Dupont and asked him to give me something to eat until I could get to Sacramento. I lived in San Francisco three months and crossed to Sonoma with J. P. Leese in the sloop *Amelia* and from there to Sacramento. The officers gave me a horse at Sonoma and I went to Sacramento City.

I paid in work to Captain Sutter for my wifes relations [rations?] while I was gone, and I never got but ten dollars for my services and a 120-acre land warrant; this was the summer of 1847. Myself and a man named Lenox helped to get out the large mill stones for Captain Sutter's grist mill on the American River,[109] then we made a contract to do the blacksmithing for Sutter and Marshall who were partners in building a saw mill at Colusa [Coloma] where gold was discovered. Up to this time I had not heard of gold. Where I first worked with the whipsaw was afterwards all worked out for gold. My wife was to cook for one or two men. I was to work for three years, to be paid in cattle. The morning we were to start for Colusa [Coloma] from Sutter's Fort, Marshall came into the Fort with a little vial of about an ounce, greenish glass, which was over half full of scale gold.[110] I looked at it and this was the first gold seen in the country. That vial was sent to Capt. [Joseph L.] Folsom in San Francisco, and in six weeks there came back word it was gold of fine quality. It was sent down on the old launch.

I think Major McKinstry took it down, a cousin of Judge [E. W.] McKinstry.[111]

I went up to the mill with my wife and went to work. There were a number of men there, five or six white men. I recollect Weaver[112] and his family, Marshall, Humphreys and Charles Bennett (he died in Oregon), two Mormon teamsters and perhaps a dozen Indians. In the daytime the Indians would dig in the race, which was twenty feet deep in some places and an average of ten feet. At night we would turn the water in and shut it off in the morning, and we would find the gold in the crevices of the rock. It was all scale gold in that race. I went up there just after New Year's Day 1848. It was in the race every morning, we did not pay much attention to it. We picked it up off and on for six weeks without any excitement. A letter came to Marshall from Sutter [reporting] that it was gold of a fine quality. Marshall was then living with me. We had salt salmon and boiled wheat, and we, the discoverers of gold, were living on that when gold was found, and we suffered from scurvy afterwards.

Myself, Marshall, Humphries, and Bennett were living together in a double cabin. Soon as we got word it was gold I said to Marshall: "Let us go up the river, the south fork of the American River, and see if we can't find some gold." We had a pick and pan. We went up the river three miles to a bar and called it Live Oak Bar. We went out on the bar and picked out lump gold of the size of a bean with our fingers, without digging—in all a pint cupful. I said, "This lets up our contract. Now," says I, "James, suppose we divide this gold." "No," says he, "I don't divide. You are a hired man." I said, "That ends our contract." The next day I went back and dug and took out a good deal for myself. It was the first prospecting done.

The people flocked in after that, and I got sick and had to come to Sonoma. I brought down about $3,000 in the fall of 1848. I went back in 1849, in the spring, and worked three months and came back. While in the mines we found a man deserted, on the middle fork of the Feather River. He had chronic diarrhoea. Mills visited him. At last one morning he was found dead. He had written on a tin plate, "Deserted by my friends, but not by my God." My partner was named Mills—perhaps it was D. O. Mills[113]—he and me were working together. Some young fellows came into Spanish Bar[114] where we were, from Napa, and they had one hundred pounds of flour to sell. I told Mills we had better buy it. We gave an ounce for it and found some nice butter rolled up in the center.

We left with eight hundred dollars and came back to Sonoma in the fall of 1849 and have been here ever since. I bought land of Captain Cooper. I have a daughter who is now Mrs. Robert Reid of San Luis Obispo, who was born at Sutter's Fort, September 15, 1846. She was the first white child born in the Sacramento Valley.[115]

NOTES

1. The party evidently consisted of Mr. and Mrs. Gregson, John, Henry, and Mary Ann Marshall (Mrs. Gregson's brothers and sister), and Mrs. Ann Marshall (her mother). The passenger has not been definitely identified.

2. Elijah Bristow was a Kentuckian who came overland to Sutter's Fort in 1845 and went to Oregon the next year, where he died in 1872. Hubert Howe Bancroft, *History of California* (San Francisco, 1884-90), II, 730. John Henry Brown states that Bristow (whom he calls Bristol) was one of the group who, as the end of the journey approached, left their teams and went ahead on horseback. In this group he includes also Blackburn, Snyder, McDougal, and Knight. John Henry Brown, *Reminiscences of Early Days of San Francisco (1845-50)* (San Francisco: The Grabhorn Press [1933], p. 12. Bristow is mentioned in the *New Helvetia Diary, a Record of Events Kept by John A. Sutter and His Clerks* (San Francisco: The Grabhorn Press, 1939), on pp. 10, 15, 32, and 34. (This work is hereafter cited as *N. H. Diary*.)

3. Henry Marshall, "Reminiscences of a Pioneer," in *The Pioneer*, San Jose, August 10, 1878, states that he "left Independence for Oregon with Captain Welch and one hundred and twenty-nine wagons, and perhaps five hundred persons. We divided first into three companies, and then split into small parties. I came on the way as far as Fort Hall with Welch." This was undoubtedly Dr. Presley Welch who was captain of the train piloted by Stephen H. L. Meek and of which Joel Palmer was a member. See Joel Palmer, *Journal of Travels over the Rocky Mountains to the Mouth of the Columbia River* (Cincinnati, 1847), p. 16. Palmer and Welch went on to Oregon, but, Marshall writes, "at Fort Hall a train was made up for California and I joined it. The Hudsons [David and William], Elliots [William B. Elliott] and [Michael] Coleman for whom Coleman Valley is named, joined also, with P. McChristian and James Gregson." Bancroft, *op. cit.*, IV, 576-86, divides the 1845 overland immigration to California roughly into five parties: the Swasey-Todd (or Snyder-Blackburn) company; a company of fifteen men under William L. Sublette; the Grigsby-Ide company; Frémont's exploring expedition; and a party under Lansford W. Hastings. The Gregsons, Marshalls, Elliott, Coleman and McChristian he assigns to the Grigsby-Ide party. Yet Gregson himself, in his "Statement" which we print hereafter, records that "near Fort Hall we fell in with Jacob R. Snyder and Judge Blackburn who were traveling with pack horses, they came on with us. . . . . Geo. McDougal . . . . joined us at Fort Hall and also Knight from whom Knights Valley is named"; and Bancroft states that these men came with the Swasey-Todd party which left the Grigsby-Ide company at Fort Hall. William F. Swasey, *The Early Days and Men of California* (Oakland, 1891), p. 29, also includes them in his party of twelve, but does not mention Gregson or the Marshalls. Apparently the personnel of each company varied during the journey, since it was difficult for all to maintain the same rate of speed.

4. "At Fort Hall we were met by an old man named Caleb Greenwood and his three sons; John was 22, Britain 18, and Sam 16. Caleb Greenwood, who originally hailed from Nova Scotia, was an old mountain man and was said to be over 80 years old. He had been a scout and trapper and had married a squaw, his sons being half breeds. He was employed by Captain Sutter to come to Fort Hall to divert the Oregon-bound emigrants to California. . . . . He called the Oregon emigrants together the first evening we were in Fort Hall and made a talk. He said the road to Oregon was dangerous on account of the Indians. He told us that while no emigrants had as yet gone to California, there was an easy grade and crossing the mountains would not be difficult. He said that Capt. Sutter would have ten Californians meet the emigrants who would go and that Sutter would supply them with plenty of potatoes, coffee and dried beef. He also said he would help

the emigrants over the mountains with their wagons and that to every head of a family who would settle near Sutter's Fort, Captain Sutter would give six sections of land of his Spanish land grant. . . . .

"After driving southward for three days with Caleb Greenwood, he left us to go back to Fort Hall to get other emigrants to change their route to California. He left his three boys with us to guide us to Sutter's Fort. . . . ." Fred Lockley, *Across the Plains by Prairie Schooner: Personal Narrative of B. F. Bonney* (Eugene, Ore.: Koke-Tiffany Co. [1923]), pp. 3-5; also quoted in Charles Kelly, *Old Greenwood: The Story of Caleb Greenwood* (Salt Lake City: Privately printed, 1936), pp. 83-84.

5. The biographical note on James Gregson in the *History of Sonoma County* (San Francisco: Alley, Bowen & Co., 1880), p. 475, gives the following version: "while on the road and passing through Humboldt cañon, they were attacked by Indians, who killed all their stocks except one yoke of cattle, which compelled our little party to make a two-wheeled vehicle out of their wagon, on which their baggage was transported, together with those persons who were unable to walk. All the men, also Mrs. Gregson and her mother, traveled on foot the entire distance from Humboldt to Johnson's ranch on Bear creek, the party arriving there on October 20, 1845."

6. Snyder states that it was a young steer and that was poisoned on September 8 by "a Dr. Carter traveling with us." "The Diary of Jacob R. Snyder," in *Quarterly* of The Society of California Pioneers, VIII (December 1931), p. 252. Bancroft, *op. cit.*, IV, 578, lists a George Carter in the Grigsby-Ide party.

7. Undoubtedly Donner Lake.

8. See Note 3. Knight says that he, with McDougal and Snyder, left the party at the Truckee River and went on to Sutter's Fort. Returning to meet his party on the summit, he found that his wagon and other property had been burned by the explosion of a keg of powder. Thomas Knight, "Early Events" (MS in Bancroft Library), pp. 3-4; also Bancroft, *op. cit.*, IV, 577. Mrs. Sarah E. Healy, William B. Ide's daughter, also tells of the explosion in [Simeon Ide], *A Biographical Sketch of the Life of William B. Ide* [Claremont, N. H., 1880], p. 40.

9. Johnson's ranch (where the town of Wheatland now stands), on the north side of Bear River, in Yuba County, was the first settlement reached by the immigrants who came by way of Donner's Pass and down the San Juan Ridge, or the ridge north of Bear River, into Yuba County. The land was purchased at auction by William Johnson after the death of Pablo Gutierrez, in 1844, to whom the land had been granted earlier that same year. Hero Eugene Rensch, Ethel Grace Rensch, and Mildred Brooke Hoover, *Historic Spots in California—Valley and Sierra Counties* (Stanford University: Stanford University Press, 1933), p. 544.

10. Henry Marshall, in his "Reminiscences" (see Note 3), states that they reached Sutter's Fort on October 20, 1845, but the *History of Sonoma County* (see Note 5) says that they arrived at Johson's Ranch on that day.

11. On Saturday, October 25, "Sutter sent two Waggons to Pine woods, Gregson and Marshall also went to the P. woods." *N. H. Diary*, p. 9: see also Gregson's "Statement," printed herein.

12. The material inserted within the marks { } has been taken from the copy made by Mrs. Butler, that part of the original manuscript having been lost.

13. Henry Trow is mentioned several times in the *N. H. Diary*, beginning with September 18, 1845. Bancroft, *op. cit.*, V, 751, states that he was in Sutter's employ from 1845-46, was mentioned in connection with Benicia affairs, 1847-48, and was later in the mines of Trinity or Shasta.

14. According to Bancroft, *op. cit.*, V, 698-99, Edward Robinsin was an American sailor who is said to have touched at Monterey in 1830 and to have "coasted off and on"

for ten years; he then settled in the Sacramento Valley. In 1847 he married Mrs. Christina Patterson and lived on Dry Creek, San Joaquin County, but went to the mines for a while in 1848. He is mentioned frequently in the *N. H. Diary*.

15. Thomas M. Hardy was in California as early as 1843 when he was granted the rancho Rio de Jesus Maria on the Sacramento River near the mouth of Cache Creek. In 1844 he was a carpenter and translator in the Sonoma district, was in the mines in 1848, and in 1848 or 1849 was drowned in Suisun Bay, Bancroft, *op. cit.*, III, 775. He is mentioned many times in the *N. H. Diary*.

16. Hock Farm, on the Feather River, named for a tribe of Indians living in the vicinity, was part of the New Helvetia grant of eleven leagues, which Sutter had obtained in 1841. There he kept large herds of horses, cattle, and sheep, and, after his fort was sold in 1849, went there himself to live.

17. The "Pay Roll of the Garrison at Fort Sacramento" (MS No. 94 of the Fort Sutter Papers, Henry E. Huntington Library) shows that Gregson enlisted as a private on August 8 and was discharged on November 8, after three months service at $12.50 a month.

18. The proclamations and orders from Pio Pico were received on October 21, according to *The Diary of Johann August Sutter* (San Francisco: The Grabhorn Press, 1932), p. 28. See also *N. H. Diary*, p. 8. Pico was acting on orders dated July 10, 1845, which he had received from the Mexican Government, instructing him to prevent the entry of immigrant families into the department. Bancroft, *op. cit.*, IV, 605, citing the following MSS: Manuel Castro, Documentos para la historia de California, I, 152; Superior Government State Papers, XVIII, 8; Departmental State Papers, VI, 89, and VIII, 11; Documentos para la historia de California, II, 202, etc.

19. The statements made here are well supported by most of the works on the Bear Flag revolt.

20. James McDowell and his wife, Margaret Pyles, and daughter Maggie A. came overland to California in 1845 with a party Bancroft was unable to identify. He was employed as a gunsmith by Sutter, 1845-47. In August 1847 he moved with his family across the Sacramento, bought a rancho there and built a house. In May 1849 he was murdered, and the next year his widow had the townsite of Washington laid out on her land. She married Dr. E. C. Taylor in 1851 and died at Washington in 1883. Bancroft, *op. cit.*, IV, 723.

21. The wife of Daniel Leahy who was an Irish cooper at Sutter's Fort, 1845-46, and in 1847 owner of a lot in San Francisco, where they lived at least until 1854. He died in Nevada in 1875, leaving a family in Oregon. Bancroft, *op. cit.*, IV, 709.

22. Sarah Montgomery came overland with her husband, Allen, in 1844 with the Stevens party. He died in 1847, and she married, on October 25, 1849, the notorious Talbot H. Green (Paul Geddes, a fugitive from justice). When the facts came out about Green, she divorced him and married Joseph Sawyer Wallis, in 1854. John Adam Hussey, "New Light upon Talbot H. Green," in this QUARTERLY, XVIII (March 1939), 32-63. Bancroft records, *op. cit.*, IV, 743, that in 1885 Mrs. Wallis was still residing at Mayfield, "taking part sometimes in public meetings of progressive and strong-minded females."

23. America Kelsey, daughter of David Kelsey, came to Oregon in 1843 and to California in the Kelsey party of 1844, with her father and mother, two sisters and possibly a brother. George F. Wyman, whom she married in 1846, was sent by Sutter to raise recruits for the Micheltorena campaign in December 1844, and is often mentioned in the *N. H. Diary*. He was living at Spanishtown (now Half Moon Bay), San Mateo County, 1878-84. Bancroft, *op. cit.*, IV, 699, and V, 780.

24. This is a repetition of what Mrs. Gregson has related before.

25. George McKinstry, Jr., who came overland in 1846, was active in relief measures for the Donner party. He was the first sheriff of the Northern District, at Sutter's Fort, 1846-47; took part in public affairs at Sacramento in early mining times; and had a trading post on the Cosumnes, 1849-50. From 1871-74 he was a physician at San Diego. Bancroft, *op. cit.*, IV, 725.

26. Edward M. Kern came as an artist with Frémont's expedition of 1845. He served as a lieutenant in the California Battalion in 1846, being in command at Sutter's Fort after the Bear Flag revolt. He left California in 1847. Kern River and Kern County were named for him. Bancroft, *op. cit.*, IV, 699. The correspondence and records kept by him at Sutter's Fort, known as the Fort Sutter Papers, are now in the Henry E. Huntington Library, at San Marino.

27. Mrs. Anna Hughes Marshall married James Smith on January 11, 1846, at Sutter's Fort. *N. H. Diary*, p. 22. Smith, a native of England, naturalized in 1844 after having been in California three years, was a farmer in the Sacramento Valley. Bancroft, *op. cit.*, V, 723.

28. See Note 20.

29. See Note 21.

30. Swasey, *op. cit.*, pp. 28-29, says that Dr. W. B. Gildea was a dentist, from St. Louis, whom he persuaded at Fort Laramie to join his California-bound party of twelve, which included Jacob R. Snyder, William Blackburn, and others. The *N. H. Diary*, p. 3, records the arrival at Sutter's Fort, on September 27, 1845, of "Dr. W. B. Gildea and J. Greenwood with a small party preceding a large company from the States." Dr. Gildea, employed by Sutter, took charge of the pharmacy and became the physician at the Fort. Swasey, *op. cit.*, p. 35. He died there on January 24, 1846, and was buried the same day. *N. H. Diary*, p. 24.

31. This was William König, a German from Leipzig. *N. H. Diary*, p. 49.

32. See Bancroft, *op. cit.*, V, 358-59. Each volunteer was to receive $25.00 per month, with horse, saddle and bridle. His family were to be furnished with flour and meat by the government (the cost to be deducted from the soldier's pay) and might be quartered at "Fort Sacramento" if they desired. Document dated October 28, 1846, at Fort Sacramento and signed by Edwin Bryant, Benj. S. Lippincott, and others. Fort Sutter Papers, MS No. 51.

33. The Battle of Natividad, or Salinas Plains, occurred on November 16, 1845. See Bancroft, *op. cit.*, V, 363-72. An account of the battle was printed in the *California Star*, San Francisco, August 21, 1847. The men killed were Capt. Charles Burroughs, George Foster, Ames, and Thorne (or "Billy the Cooper"?). See also James Gregson's account printed herein.

34. Charles T. Stanton, a native of New York but more recently a resident of Chicago, with William McCutchen had left the Donner party about September 18, 1846, somewhere in eastern Nevada and had pushed through to Sutter's Fort. There he left McCutchen, who was ill, and traveled back with food, seven pack-mules and two Indian vaqueros, rejoining the party on October 19—the first to bring back supplies. He later led the way three times over the pass, but on December 21, snow-blind, exhausted, and starving, he dropped behind and was left to die. George Rippey Stewart, Jr., *Ordeal by Hunger* (New York: Henry Holt and Company, 1936), pp. 55, 77, 125, 301, and 302.

35. Mrs. Gregson probably means William M. Foster, from Pennsylvania, a son-in-law of Mrs. Lavina Murphy. His wife, Sarah A. C. Murphy, survived, but their baby son died in the mountains. Foster was a member of the fourth relief party. In 1847-48 he kept a furniture store in San Francisco, and later was a storekeeper in the mines. Foster's Bar was named for him. Bancroft, *op. cit.*, III, 745; see also Stewart, *op. cit.*

36. William H. Eddy, a carriage-maker from Illinois, was one of the most active in

saving other members of the party. His wife Eleanor, son James P., and daughter Mary all perished in the Sierra. Eddy married Mrs. F. Alfred in 1848, and Miss A. M. Pardoe in 1856, and died at Petaluma in 1859. Bancroft, *op. cit.*, II, 788-89; and Stewart, *op. cit.*

37. Mary Ann (20), Ellen or Eleanor (15), Lavina (13), and Nancy (9). Their father and mother—Franklin Ward Graves and his wife Elizabeth—and brother Franklin, Jr. had died in the Sierra. Stewart, *op. cit.*, p. 299; and Bancroft, *op. cit.*, III, 764.

38. Sarah Graves Fosdick (22), wife of Jay Fosdick and daughter of F. W. Graves. See Stewart, *op. cit.*, p. 142. In 1848 Mrs. Fosdick married William Ritchie, and in 1856, Samuel Spiers. She died near Watsonville in 1871. Bancroft, *op. cit.*, III, 744.

39. Margaret W. Reed, wife of James Frazier Reed; the Reed children: Martha J. (Patty), James Frazier, Jr., and Thomas K.; and Virginia E. Backenstoe, generally known as Reed, for she was Mrs. Reed's daughter by her first husband. Stewart, *op. cit.*, p. 300, and Bancroft, *op. cit.*, V, 690.

40. Eliza Williams, half-sister of Baylis Williams. Stewart, *op. cit.*, p. 300.

41. See Bancroft, *op. cit.*, II, 783; and Stewart, *op. cit.*, p. 299.

42. *Ibid.*

43. Mary's foot, frozen and numb, had fallen into the fire at Starved Camp. After the party arrived at Sutter's Fort, Mary was carried through to San Francisco, where her foot was treated by Andrew J. Henderson, surgeon of the U. S. Ship *Portsmouth*. Eliza P. Donner Houghton, *The Expedition of the Donner Party* (Chicago, 1911), pp. 128, 313. She was married in 1859 to S. O. Houghton, but died the next year, and he, in 1861, married her cousin Eliza, the author of the book just cited. Bancroft, *op. cit.*, II, 783.

44. William O. Fallon [or O'Fallon], an Irish trapper, was known as "Mountaineer," "Big," or "Le Gros" Fallon. He was a member of the fourth Donner relief, and his diary, published in the *California Star*, and quoted in J. Quinn Thorton, *Oregon and California in 1848* (New York, 1849), II, 232-39, was the foundation of the charges against Keseberg.

45. Cf. Stewart, *op. cit.*, pp. 259-65, 287-93; see also Charles Fayette McGlashan, *History of the Donner Party* (San Francisco: T. C. Wohlbruck, 1931), pp. 184-206. McGlashan and Mrs. Houghton, *op. cit.*, pp. 360-70, did not believe that Keseberg had murdered the Donners, nor did Bancroft. Keseberg died in the County Hospital at Sacramento, on September 3, 1895, aged 81 years.

46. Lenox, or Lennox, is mentioned in the *N. H. Diary* on pp. 50, 70, 72, 75, 89, 95, 97, 108, 112, 129. In one instance he is called J. Lenox, although Bancroft (*op. cit.*, IV, 712) gives his initial as "T." The millstones were for the grist mill that Sutter was building at Birghton, a few miles above the Fort.

47. The *N. H. Diary* (p. 54) records that on June 26, "Mistresses Lenox & Gregson moved down in the Hatterhouse."

48. This was probably either Andrew J. Ward, a physician who had come to California with the New York Volunteers, or Dr. Bates, both of whom are mentioned frequently in the *N. H. Diary*.

49. Capt. R. E. O'Neill, of San Francisco, has known of Hispanic-Americans using cow and sheep manure broths to break a fever. There may be cinchona, quinine, or some other chemical febrifuge in the mixture, but more probably it is a case of the patient's getting well in spite of the treatment.

50. The *N. H. Diary* records, on September 25, 1847 (p. 80): "The Launch has been despatched by Sunset . . . . Supercargo Mr Keseberg, Passengers Mrsers Keseberg & Gregson . . . . ."

51. Thaddeus M. Leavenworth, a native of Connecticut, was a physician and Episcopal clergyman who had come as a chaplain with the New York Volunteers in 1847. He was an alcalde of San Francisco, 1847-49, but went to Sonoma County to live in 1850.

52. See John Haskell Kemble, "The First Steam Vessel to Navigate San Francisco Bay," this QUARTERLY, XIV (June 1935), 143-46.

53. The *N. H. Diary* (p. 98) records on December 4, 1847: "Afternoon the little Steamboat arrived here from San francisco having had a voyage of 7 days, Passengers Messrs. McKinstry, Petit, Stevens, Edde, Scott & Mrs. Gregson."

54. This was on January 19, 1848, according to the *N. H. Diary*, p. 110.

55. James Coates. The proprietor of the store was possibly Samuel Norris, who Bancroft, *op. cit.*, IV, 755, says was of German or Danish birth. The robbery occurred on March 8 or 9, according to the *N. H. Diary*, p. 122.

56. See Note 46. The *N. H. Diary* (p. 96) notes that the last of the millstones arrived at the mill on November 28, 1847.

57. Charles Bennett was sent by Sutter to Monterey to apply in his behalf to Col. Richard B. Mason, the military governor, for a grant of land (of the millsite and surrounding country), to include mill, pastures and mineral privileges. Although he had been instructed to say nothing about the gold to anyone, he gave away the secret at Benicia on the way down, and again in San Francisco. Bancroft, *op. cit.*, VI, 43-44, and John Henry Brown, *op. cit.*, pp. 70-72.

58. Peter L. Wimmer came overland to California in 1846 with his wife, Elizabeth Jane. He worked for Sutter was a millwright in 1847-48 and was one of the men employed at the Coloma mill when gold was discovered by James Marshall, on January 24, 1848. Bancroft, *op. cit.*, V, 778. Mrs. Wimmer tested the first piece of gold found by Marshall, by boiling it in her soap kettle. This (a flake, not a nugget) is now in the Smithsonian Institution. See Philip Baldwin Bekeart, "James Wilson Marshall, Discoverer of Gold," in *Quarterly* of The Society of California Pioneers, Vol. I, No. 3 (September 1924), 14-30. The Wimmers later claimed that a nugget in their possession was the first gold found by Marshall. William Wallace Allen and Richard Benjamin Avery, *California Gold Book* (San Francisco, 1893), pp. 5-6, 72-74. In 1849 the Wimmers moved to what is now Calaveras County, and from 1878 to 1885 they resided in Southern California. Bancroft, *loc. cit.*

59. William W. Scott, who had come overland in 1845 in the Grigsby-Ide party, is said to have been the first man to whom Marshall showed the gold he discovered. The nugget described by Mrs. Gregson is very likely the one the Wimmers later claimed was the first piece of gold found by Marshall. See Note 58.

60. "April 2d. Mr. Humphrey a regular Miner arrived, and left for Columa with Wimmer and Marshall." *The Diary of Johann August Sutter*, p. 46. Isaac Humphrey had been a miner in Georgia, and knew how to make a rocker and wash out the gold. Bancroft, *op. cit.*, III, 791.

61. Turner and his daughter Mary have not been identified.

62. Thaddeus M. Ames, a native of New York, had come to California with Stevenson's Regiment of New York Volunteers in 1847, in Co. C. He was later a doctor in Mendocino County and represented that county in the State assembly in 1862-63. He died in Green Valley, Sonoma County, in 1876. Bancroft, *op. cit.*, II, 696.

63. The child was born in August 1848. Bancroft, *op. cit.*, V, 778.

64. Mary Ellen later married a member of the McChristian family.

65. Possibly Samuel J. Tennent, an Englishman who, while a surgeon on a whaler at the Sandwich Islands, had left his vessel and come to California on hearing of the gold discovery. Bancroft, *op. cit.*, V, 745.

66. Robert Spence had been a member of Co. E of the California Battalion, in which he had enlisted at Sonoma in October 1846.

67. Christian Bruner (or Brunner) and his wife Mary, natives of Switzerland, had lived in New Orleans before coming to California in 1846. Bancroft, *op. cit.*, II, 733-34.

The Donner girls had been cared for, soon after their rescue, by the Brunners at their ranch about twenty-five miles from Sutter's Fort, and later at Sonoma. In 1857 Brunner was sent to San Quentin for killing his nephew, but was pardoned in 1861. Houghton, *op. cit.*, pp. 147-54, 165, 171 ff, 293-97, 317-19, 325-31.

68. Mr. and Mrs. Nicholas Carriger, immigrants of 1846. See Bancroft, *op. cit.*, II, 743, and *Hist. of Sonoma County*, pp. 673-76.

69. See Bancroft, *op. cit.*, III, 787-88, and Charles L. Camp, "William Alexander Trubody and the Overland Pioneers of 1847," in this QUARTERLY, XVI (June 1937), especially pp. 135-36.

70. See Note 59.

71. A blood tumor is a hemangioma, either hereditary or the result of mechanical injury. These benign growths or birthmarks are now usually removed at birth.

72. Scurvy is now a relatively rare disease due to the widespread information concerning vitamin C, which is contained in practically all fresh fruits and vegetables.

73. Early in 1846 Sutter had laid out the town of Sutterville, three miles below the Fort on the Sacramento River. The settlement flourished until after gold was discovered and Sacramento came into being. The new town soon rivalled and then surpassed Sutterville and the latter gradually faded away. Bancroft, *op. cit.*, VI, 15.

74. Henry Marshall had come to California with the Gregsons in 1845, had enlisted in Captain Sears' company of Frémont's Battalion in 1846, was wounded at the Battle of Natividad, and joined his mother, brother, and sisters at Sonoma in 1847, where they were living in an old adobe on the Petaluma ranch, opposite Petaluma. He went to Green Valley to live, early in 1850. Marshall, "Reminiscences," in *The Pioneer*, August 10, 1878.

75. John B. R. Cooper, a half-brother of Thomas O. Larkin, was claimant for Rancho El Molino, in Sonoma County. See *Hist. of Sonoma County*, pp. 150-51, and Bancroft, *op. cit.*, II, 765-66.

76. Churchman is mentioned in the *N. H. Diary* as early as April 1847. He went to work for Sutter on his mill in May. *Op. cit.*, pp. 127, 136.

77. Mitchell Gilham became a permanent settler in Green Valley in 1851. *Hist. of Sonoma County*, p. 172. An M. Gillian (possibly the same) had settled near Sebastopol in 1850. *Ibid.*, p. 171.

78. Major Isaac Sullivan married Miss Polly Gilham in 1851. *Ibid.*, p. 172.

79. Lancaster Clyman was in Oregon in 1843-44. He may have been a brother of James Clyman. See Charles L. Camp, ed., "James Clyman, His Diaries and Reminiscences," in this QUARTERLY, V (March 1926), 47.

80. Possibly D. Frederick Starke. See *Hist. of Sonoma County*, pp. 592-93.

81. John N., who later became a resident of San Luis Obispo, Calif.

82. Edward Newburgh and Isaac Bernhard (natives of Bavaria) opened a store in Green Valley in 1853, but gave it up in 1857 (or 1864 according to another account) when they went into business in Petaluma. *Hist. of Sonoma County*, pp. 538 and 577.

83. James M. Miller and John Walker settled in Analy township, Sonoma County, in 1850, and opened a store about one mile south of Sebastopol. *Hist. of Sonoma County*, pp. 171, 172, 175.

84. Eliza Jane Gregson (now Mrs. Thomas Bennet Butler) was born on May 31, 1854.

85. Possibly Nicolas Gray, of St. Louis, Mo., who had come to California to survey the Larkin ranches.

86. Adelia J., born on March 28, 1858, later married George Fraits, of San Luis Obispo County. *Hist of Sonoma County*, p. 476.

87. Another son, Luke B., was born on March 27, 1868. *Hist. of Sonoma County*, *loc. cit.*

88. James Gregson was born in Little Bolton, Lancashire, England, on September 14,

1822. In 1837, in Philadelphia, he was bound to James Brooks as an apprentice to the blacksmiths' and machinists' trade and served until he was 21 years old. *Hist. of Sonoma County*, p. 474.

89. See Note 3.

90. Snyder had left Independence on May 12. The diary of his trip to California is printed in the *Quarterly* of The Society of California Pioneers, VIII (December 1931), 224-60. For biographical material concerning him see *op. cit.*, pp. 203-19, and Swasey, *op. cit.*, pp. 172-77.

91. William Blackburn, a Virginian, was with the Swasey-Todd party, according to Bancroft, *op. cit.*, II, 721, and Swasey, *op. cit.*, pp. 29 and 179-80.

92. George McDougal, from Indiana, was also with the Swasey-Todd party. Bancroft, *op. cit.*, IV, 723, and Swasey, *op. cit.*, pp. 29 and 177-79.

93. Thomas Knight, a native of Maine, had been a trader in Louisiana, Arkansas, and Missouri. See Bancroft, *op. cit.*, IV, 702, for his later history. His MS recollections and statement concerning "Early Events in California" are in the Bancroft Library.

94. William B. Elliott, a native of North Carolina, came from Missouri in the Grigsby-Ide party with his wife (Elizabeth Patton) and seven children. He joined the Bear Flag party in 1846. For further information concerning him see Bancroft, *op. cit.*, II, 790.

95. John Grigsby, of the Grigsby-Ide party, a native of Tennessee, was later a leader in the Bear Flag revolt at Sonoma. For his further history see Bancroft, *op. cit.*, III, 767.

96. Patrick McChristian took part in the Bear Flag revolt the next year, went to the mines in 1848-49, and, after a short residence at Santa Cruz, became a farmer at Sonoma. Bancroft, *op. cit.*, IV, 721. His MS "Narrative" is in the Bancroft Library.

97. William Hudson, with his family, his brother David, and sister, Mrs. John York, and her husband, also came in the Grigsby-Ide party. David, after taking part in the Bear Flag revolt, serving in the California Battalion, and working for a brief period in the mines, lived in Napa Valley until 1873 and then moved to Lake County. William and his family lived at Santa Rosa. *History of Napa and Lake Counties* (San Francisco: Slocum, Bowen & Co., 1881), p. 241, and Bancroft, *op. cit.*, IV, 789-90.

98. William B. Ide's Bear Flag proclamation was printed in this QUARTERLY, I (July 1922), 74-79. For further information concerning him see Simeon Ide, *op. cit.*, and Bancroft, *op. cit.*, IV, 688-89.

99. See Note 15. On December 27, 1845, Sutter "Started H. Trow for Hardy's—also started Gregson for do." *N. H. Diary*, p. 19.

100. On February 4, 1846, Gregson commenced working again for Sutter, and on May 18 he and Marshall finished the ditch. *N. H. Diary*, pp. 26 and 39.

101. This was on October 21, 1845. See Note 18.

102. See Note 33. Swasey, *op. cit.*, pp. 67-72, also gives an account of the Battle of Natividad. The Gomez ranch was Rancho de los Verjeles of Joaquin Gomez.

103. Henry L. Ford was captain of Co. B of the California Battalion. Bancroft, *op. cit.*, IV, 361.

104. This was not Pio or Andrés Pico but their cousin José de Jesus Pico. See John Charles Frémont, *Memoirs of My Life* (Chicago, 1887), pp. 598-99, and Bancroft, *op. cit.*, IV, 777-78.

105. Major Pierson B. Reading was the paymaster of the California Battalion. Bancroft, *op. cit.*, V, 689. Reading's muster roll of the Battalion is in the California State Library but is not available to scholars.

106. Black Point, the site of the present Fort Mason, at the end of Van Ness Avenue.

107. Lieutenant Joseph Warren Revere, of the *Cyane*, who had raised the United States Flag at Sonoma in July, remained in command of the northern district for several months. See Bancroft, *op. cit.*, V, 692.

108. Samuel F. Dupont, commander of the *U.S.S. Congress* and later of the *Cyane*. Dupont Street (now Grant Avenue) was named for him.

109. See Note 46.

110. See Bekeart, *op. cit.*, pp. 19-30.

111. Marshall arrived at the fort "on very important business" on January 28. *N. H. Diary*, p. 113.

112. A Mormon named Weaver (Franklin or Miles) was one of the workmen on Sutter's flour mill at the time gold was discovered. Reva Holdaway Stanley, "Sutter's Mormon Workmen at Natoma and Coloma in 1848," in this QUARTERLY, XIV (September 1935), 278.

113. This could not have been D. O. Mills, for the man who was to become the well-known banker did not reach California until June 1849 and immediately embarked on a trading trip up the San Joaquin River.

114. Spanish Bar, on the Middle Fork of the American River, above the junction of the North and South forks, was one of the most important points on the stream. Because the gold found there was coarser than in many other places, the profits were larger, and the place later produced more than a million dollars.

115. This was Ann E. (or Annie), born on September 3, 1846, according to Mrs. Gregson and the *History of Sonoma County*.

Andrew Smith Hallidie

By Edgar Myron Kahn

ANDREW SMITH HALLIDIE, the mechanical genius who originated cable railway transportation, was born in London, on March 16, 1836. His grandfather Smith, a Scotch schoolmaster and soldier during the Napoleonic wars, had served at Waterloo. His father, Andrew Smith, had been born in Fleming, Dumfrieshire, Scotland, in 1798, and his mother, Julia Johnstone Smith, was from Lockerbie, Dumfrieshire.[1] Andrew Smith was an engineer and inventor. Of his patents those for the making of metal wire ropes, granted from 1835 to 1849, were the most important. Young Andrew Smith later adopted the surname Hallidie in honor of his godfather and uncle, Sir Andrew Hallidie, who had been physician to King William IV and to Queen Victoria.

His early training was of a scientific and mechanical character, and at ten years of age he successfully constructed an "electrical machine." When he was thirteen he began work in a machine shop and drawing office operated by his brother, and there gained the practical experience that stood him in good service during the remainder of his life. In the evenings he continued his studies, but manual labor during the day and study at night began to undermine his health, so his father decided to take him to California. His father was interested in the Frémont estate in Mariposa County where he thought the prospects for financial reward were extremely bright.[2]

On January 28, 1852, the father and son left Liverpool for America on the steamship *Pacific* of the Collins Line. Several of the other passengers were also bound for California—one a sea captain from Glasgow who was going to San Francisco to bring home a vessel which had been abandoned by its crew during the rush to the gold diggings. Another fellow-traveler planned to assemble a company in New York for the purpose of working the gold mines by a newly-invented method of his own, from which he expected to make a large fortune in two years. The *Pacific* arrived in New York on February 12, after a fifteen day crossing.

After a stopover of sixteen days, the father and son departed for Chagres on the *Brother Jonathan*.[3] This ship had been fitted up hurriedly for the California trade and was poorly built and badly equipped. She was of 1700 tons burden, with accommodations for 700 passengers. So great was the demand for accommodations that passengers were crammed and jammed together in most unsanitary quarters, many close to the engine room and ship's galley where the atmosphere was stifling. After crossing the Isthmus the travelers reached Panama on March 15. On the 26th they embarked on

ANDREW SMITH HALLIDIE

From a negative presented to the Society by Mrs. Philip Rowe

the ship *Brutus*, Captain D. C. Mitchell, and landed at Clark's Point in San Francisco fifty-nine days later.[4]

Andrew Smith and his son first went to inspect the mines in Mariposa County, but, being disappointed in his venture there, the father returned to England in 1853. The son remained in California, and for the next three or four years tried his hand at mining—first with pick, pan, and rocker, then with long tom and sluice. Traveling the trails, he set up claims in Mokelumne Hill, Campo Seco, Volcanoville, Michigan Bluff, and elsewhere. With his mining activities he interspersed other work, such as blacksmithing, surveying water ditches, roads, and trails, and building bridges.

The winter of 1852 found him in Mokelumne Hill, Calaveras County. There, in a ravine near the town, with two companions he worked a claim faithfully for six or seven weeks, making from $3.00 to $4.00 per week, "just enough to starve on, with beans, pork, and coffee, and pork, coffee, and beans for a change." When just about to quit, they found a crevice in the rock which yielded them each over an ounce ($16.00) per day. This petered out, however, in a few weeks, and Hallidie moved on to another camp called Buckeye.[5] Unable to work his claim there profitably, he returned to San Francisco.

Hearing reports of rich diggings in the Kern River region, in 1853, Hallidie and some companions rigged up a wagon and team and started for the new diggings. Once again he met with failure and disappointment, for "the dirt showed little more than a color of gold to the pan, and after a very brief stop we turned back—sadder, but I am not sure if much wiser."[6]

For the next three or four years he drifted from one mining camp to the next, in Calaveras, Amador, El Dorado, Placer, and Nevada counties, hoping for a change of luck, and made occasional visits to San Francisco. Several times he almost lost his life: once a bank under which he was working caved in; in Mokelumne Hill he was attacked by a band of Mexicans;[7] once he was caught in the midst of a forest fire;[8] he barely escaped when a blast exploded prematurely in a shaft at the end of a 600-foot tunnel; at another time he fell twenty-five feet from a suspension bridge; at Gray Eagle Bar, on the Middle Fork of the American River, he was carried on a piece of timber over the rapids for half a mile;[9] and the four horses pulling a Concord stagecoach in which he was riding from Nevada City to Lincoln ran away with him when the driver left them standing in front of a hotel.[10]

At Gray Eagle Bar, on the Middle Fork of the American River, he did blacksmithing for the miners, repairing and tempering their tools. Before the winter of 1854-1855 set in, he gathered all the old rifles and firearms available, repaired them, and joined a company organized to drive out the Indians who had been committing depredations among the miners on the "Divide." This campaign was successful and rid the district of the molesters, but the company was overtaken by snow and suffered considerable hardships.[11] Later in the same winter, with an experienced caterer, he took charge of Cunningham's Restaurant at Michigan Bluff. This venture was anything but profitable, and it was only by hard toil that he was able to make ends meet. Through a supreme effort and with the aid of his few books, he managed to keep his mind active and overcame the depraving and depressing influences surrounding him. In 1855, at Horse Shoe Bar, on the Middle Fork of the American River, when he was only nineteen, he constructed a wire suspension bridge and aqueduct of 220 feet span for conveying water in an open flume, three feet wide and two feet deep.

In 1856, Hallidie built a ditch and flume for a quartz mill, situated at American Bar, two miles above Gray Eagle Bar. The mine was on a hillside eleven hundred feet above the mill. The rock was delivered to the mill in cars running by force of gravity. The loaded cars in descending brought up the "empties" for refilling. The rope to which the cars were attached wore out after seventy-five days. He proposed to substitute a wire rope which would cost less and last longer. The owners accepted his proposition. He improvised machinery, sent to San Francisco for wire, and made a wire rope one-eighth of an inch thick and twelve hundred feet long consisting of three pieces spliced together, which did its work for two years. This was the beginning of the manufacture of wire rope in California.

Hallidie abandoned mining in 1857 and returned to San Francisco, bringing with him the machinery he had constructed at American Bar. Under the name of A. S. Hallidie & Co., he commenced the manufacture of wire rope in an unpretentious building at Mason and Chestnut Streets. Through the courtesy of Captain D. C. Mitchell (of the ship *Brutus*), office space was given them in the ship chandlery firm of Southgate & Mitchell, on Battery Street between Jackson and Pacific. Thomas Bradford was also associated with Hallidie in the manufacture of wire rope, and they continued their experiments, using some of Hallidie's father's inventions. Bradford withdrew from the company in 1860, and his interest in the firm was acquired by J. M. Eckfeldt and Hiram T. Graves.

Hallidie's reputation as a builder of suspension bridges grew. In 1861, he constructed a bridge across the Klamath River at Weitchpeck, but had to leave it unfinished because of an uprising of Indians.[12] During that and the next year he built bridges at Nevada City, across the American River at Folsom, and across the Bear, Trinity, Stanislaus, and Tuolumne rivers, although hampered by severe floods.

Hallidie enjoyed recalling his experiences when he was constructing a wire suspension bridge across Deer Creek in the vicinity of Nevada City in the fall of 1861. In all his construction work after the outbreak of the Civil War he made it a rule, as soon as bridge towers were raised, to erect a flagstaff and float the American flag from sunrise to sunset. The towers of the Deer Creek span rose forty-five feet above the road, and from the top waved a sixteen-foot American flag attached to a thirty-foot pole. The Stars and Stripes were thus made a permanent feature that could be seen from all parts of the town.

Demands were made upon Hallidie that the flag be taken down. His reply was, "The flag is here to stay." As it happened, the men employed on the bridge were good Northern sympathizers, and were ready for any form of excitement. Nothing of any consequence occurred until one noon, when the men were all at dinner in the rear of the nearby boarding house. Hallidie remained in the front room, where he could observe what was going on outside without being seen. Three men arrived, seemingly to look at the bridge, which was not an unusual procedure. Other men followed, casting furtive glances toward the halyard and the flag. Hallidie stepped into the dining room and told the boys what he suspected was going to happen, and reminded them that both tar and feathers were available on the premises. He then ordered his employees not to come out unless he whistled. By that time there were ten or twelve men on the bridge, and their intentions were evidently to haul down the flag. While waiting for a move on the part of the raiding party, impatience overcame obedience, and the entire crew came tumbling out of the boarding house and rushed to the bridge with such impetuosity that the outsiders beat a hasty retreat. The flag continued to fly.[13]

Another favorite story of Hillidie's concerned his experiences in the summer of 1862 when he was constructing a bridge across the Bear River. In conversation with one of the political bosses of Grass Valley, Hallidie was informed of an election which was to take place shortly and was asked whether he was interested in politics. He replied that he did not generally participate in local elections outside of his own town. When he was advised that the district was Democratic and for the past several years there had been no opposition, in fact, no Republican votes had been cast, he became interested. Finally he asked, "Do you mean, Mr. Brush, no Republican votes are cast?" "Yes," he replied. "As I am a Democrat and have quite large interests here, I have tried to keep it so [Democratic]—with the aid of my friends." Hallidie remarked that there were some well-to-do farmers in the neighborhood and asked if they were all Democrats. "Well, I don't know," replied Brush, "but I would not like to have our uniform Democratic returns disturbed." "I suppose every man can vote as he pleases," said Hallidie. "Oh yes," Brush replied, "if they vote the Democratic ticket." Then he added, "I notice that you have a flag flying on top of the bridge tower." Hallidie replied, "I always do when the tower is raised. It is good luck, and the flag of our country." The conversation became quite heated, Brush insisting that the flag be taken down and warning Hallidie that if it were not he would soon have many enemies in Grass Valley. Brush left in a fit of anger and warned Hallidie not to interfere in the coming election.

The more Hallidie reflected, the more he was disturbed. Several days later, two of his men came to him and asked for time out to get a flagpole for the coming election. Hallidie approved, since there was none at the polls. He gave them permission to do this on company time and offered $10.00 extra pay if they got a really good pole. He next called in his bookkeeper, a bright, pleasant fellow from Philadelphia, a loyal Union man. Hallidie instructed him to call on the neighbors to see whether they all were Democrats, and if not, why they did not vote. The report showed a large number of Republicans, but, ... "as they did not care to get their heads broken, they stayed away from the polls." Hallidie sent for his foreman and asked him to ascertain the political views of his men, and to put on the job as many additional Republicans as he could. Thus the payroll increased considerably around election time. Farmers and others were told to come to the polls and were assured that peace would reign and that they could vote as they pleased. The result of the election was not only a Republican victory, but also the regaining of political freedom for the district.[14]

In 1863, Hallidie was called upon to design and erect a wire suspension bridge, ten miles above Fort Yale on the Fraser River. He has left us a record of some of his experiences in this engineering project:

> . . . . Everything of iron or steel for the bridge was prepared in San Francisco and shipped by steamer to Victoria, Vancouver Island—which at that time was a free port—thence by [another] steamer to New Westminster on the Fraser River and thence by light-draft steamers to Fort Yale. These latter steamers were owned by Captain Wright, who was generally called Bully Wright.
>
> The material for the bridge formed a pretty good load for the stern-wheel steamer, but everything went well until on the third day we reached Emery's Bar, about three miles below Yale—here the stream proved too much for her. Spring lines were run out, and every device known to steamboat men tried without success—even a barrel of pitch was broached and fed into the furnace to keep up steam and a sixty-three-pound bundle of wire was hung on the safety valve. The heat of the fires blistered the paint and drove the passengers clear aft, but all without effect, and the captain, one of Bully Wright's sons, decided to land his cargo on the Bar, and returned to New Westminster, where his father gave him a blessing and sent him back with instructions to land the freight at Yale [even] if he made a dozen trips.
>
> He returned, took on one-fourth of the cargo, tried again, again was defeated. He then arranged with Indians to canoe the material up the river to Yale . . . .
>
> In course of time the material was all landed at the site of the bridge, which was a long distance from anywhere or any place where anything could be obtained, hence great care had to be exercised in providing everything that was likely to be required for the work.[15]

The work of bridge building required long exposure to the elements and lengthy absences from San Francisco. This experience hastened the decision which he made, in 1865, to devote himself exclusively to the development and manufacture of wire rope. The discovery of vast deposits of silver in the Comstock greatly increased the demand for cables.

Hallidie was married to Martha Elizabeth Woods, the daughter of a prominent Sacramento pioneer, in November 1863. They had no children. On January 4, 1864, in San Francisco, he was admitted to United States citizenship—under his own name of Andrew Smith.[16]

In 1867 Hallidie took out his first patent for the invention of a rigid suspension bridge, and in the years thereafter he took out numerous patents for his inventions. Among these was the "Hallidie Ropeway [or Tramway]," a method of transporting ore and other material across mountainous districts by means of an elevated, endless traveling line, which he had invented in 1867.[17]

He foresaw that one of the greatest drawbacks to the successful working of the arrangement would be the mutiliation or breaking of the cable, and to counteract this he developed a crucible steel cable with six strands of nineteen wires each. Each wire was .062 of an inch diameter, had a tensile strength of 160,000 pounds per square inch area, and was capable of bending over itself with a round turn, straightening out and repeating at the same spot without fracture.[18]

In 1871, he completed plans by which street cars could be propelled by underground cables. In a report to the Mechanics' Institute he tells of the inception of the idea:

> I was largely induced to think over the matter from seeing the difficulty and pain the horses experienced in hauling the cars up Jackson Street, from Kearny to Stockton Street, on which street four or five horses were needed for the purpose—the driving being accompanied by the free use of the whip and voice, and occasionally by the horses falling and being dragged down the hill on their sides, by the car loaded with passengers sliding on its track. . . . .[19]
>
> . . . . With the view of obviating these difficulties, and for the purpose of reducing the expense of operating street railways (tram-roads), I devoted all my available time to the careful consideration of the subject, and so far matured my plans that I had California Street (a very steep street in San Francisco) surveyed [between Kearny and Powell streets, a distance of 1,386 feet] in 1870 by an engineer of the name of David R. Smith, and in the Sacramento *Record*, a newspaper published in the City of Sacramento, California, in 1870, a statement is there published in its telegraphic news of what I proposed to do, viz: to run a rope railway to carry passengers from the city to the plateau above.[20]

At that time Hallidie had successfully installed a number of rope-ways in the mining districts of California. Great iron buckets containing rock and ore were carried across deep chasms and up precipitous mountain sides, where it was impossible to build bridges or roads. He undertook to adapt the same system to the propulsion of street cars up the hills of the city. The enterprise called for an endless wire rope, underground, to which a car could be attached, and from which it could be released at will.

The next step was to secure the necessary capital for a demonstration. Discouragement only served to make Hallidie more determined. During the following twelve months Hallidie succeeded in interesting three men, the only ones among his friends and business associates who could be induced to help. Even they were dubious about the feasibility of the project and were induced to participate under the pressure of a strong friendship. Their names were Joseph Britton, of the well-known firm of lithographers and mapmakers, Britton & Rey; Henry L. Davis, a former sheriff of the City and County of San Francisco; and James Moffitt, of the long established wholesale paper house of Blake, Moffitt & Towne—all of whom had been associated with him in organizing the Mechanics' Institute. With their assistance, a company was formed in 1872, and Clay Street, in preference to California Street, was selected as offering lower construction costs and being a generally more suitable location to "try the thing."

The cable railway was constructed from the intersection of Clay and Kearny Streets to the summit of the hill, a distance of 2,800 feet, making a rise of 307 feet.[21] Accordingly, a franchise was obtained, a new survey made, and subscriptions to purchase stock were invited. The public responded only to the extent of one hundred and twenty shares. Even those few shares were soon turned back to the company, so great was the force of unfavorable public opinion, concurred in by the best engineering talent in the West. Periodical spells of discouragement seized the three men. Hallidie would spent hours using convincing arguments to show that the plan would actually work. A circular was issued carefully describing the project. An office was taken in the Clay Street Bank Building, and a working model was placed on exhibition. Finally, by persistent solicitation through canvassers among the property owners on the hill, pledges totaling $40,000 were obtained, to be paid upon completion of the undertaking. However, pledgors to the total of only $28,000 met their obligations. Hallidie himself contributed $20,000, all he had, and his three friends, about $40,000. An additional $30,000 was obtained (through Mr. Burr, of the Clay Street Bank) by a ten-year loan bearing ten per cent interest—a mortgage on the property being given as security.

Meanwhile, the expiration date of the franchise was approaching and the cable road still existed "only in the fertile mind of its inventor," and there everybody assured everybody else it would remain. In May 1872, money matters were finally arranged, and courageously, although with precious little encouragement from others, Hallidie started his engineering task. Each day brought a new difficulty to solve. Undreamed of problems swarmed up out of the so-called hole in the ground. A less determined man would have given up in despair. Patterns had to be devised for the machinery and the numberless parts—all by the one man on whom rested the responsibility for ultimate success or failure.

The first day of August 1873 was approaching. If on that date no cable car was running, all rights would expire and everything would be lost. Desperate efforts to complete the building of the cable road were made, and at a little past the midnight hour of July 31, a few tired, nervous men met at the power house located at the corner of Leavenworth and Clay Streets. All night, with feverish anxiety, they had been watching the final, hurried efforts of the workmen.

Within the power house, furnace fires roared under the boilers which were blowing off their overload of hissing steam, which seemed to be angered at being harnessed to do such unaccustomed work. At last, all was ready. The engine started, very slowly at first, and as the tension took up the slack of the several thousand feet of cable, the steady hum was heard of the endless rope in its long tube under the surface of the street. The grip car was put in place. The brakes, crude, straight levers pressing on the wheels, were applied and found to be effective.

The final moment of success or failure had arrived. At five o'clock in the morning on August 1, 1873, the group, consisting of Hallidie and his associates, stood at the top of the Clay Street hill at the Jones Street crossing. Day was breaking. A dense fog was coming through the Golden Gate and was rolling over Nob and Russian hills. The bottom of the steep Clay Street grade was obscured by the early morning mist. From the open slot near the middle of the street came a mysterious rattle. Hallidie listened intently, nodded with an air of satisfaction and ordered, "All aboard."

The workmen next pushed the car forward to the brow of the hill at Jones Street where the slot and tube commenced and adjusted the curiously shaped grip wheel. The grip, which was Hallidie's invention, moved up and down by means of a screw and nut on a hand wheel, and fastened its jaws securely to the cable. Hallidie, assuring his friends not to become uneasy as there was no cause for alarm, sprang to the levers; instantly the car and its human freight dropped out of sight into the mist below.

The bottom was reached in safety, after the grip had been tried several times on the way down. The car was stopped at the crossings, then started up, the cable was dropped and picked up again, and various tests were carried on. At the bottom of the hill, at Kearny Street, the so-called "dummy" was reversed by the operation of a turntable, the grip was again fastened to the cable, and off went the car up the Clay Street grade.

The successful test was accepted soberly. It was a solemn affair and only a round of silent but hearty hand shaking gave expression to the men's feelings. The town was asleep. An enthusiastic Frenchman thrust his night-capped head out of a window as the car went by and threw a faded bouquet. His was the only demonstration.

Hallidie lived to see the fruition of his many years of strenuous efforts. Cable railroads spread to Oakland, Los Angeles, Kansas City, Chicago, St. Louis, Philadelphia, New York, London, and Sidney. Many of his inventions were used, and the collection of large royalties for a long period made him wealthy. In later years he enjoyed relating how he lost a substantial sum through an oversight. In spite of being thoroughly familiar with the problems and after years of experimenting with the cable system, he overlooked the importance of patenting a slot sufficiently narrow to keep out the carriage wheels. The practical application of a narrow slot made it possible to operate cable cars on the city streets.[22]

Hallidie deservedly took his place among San Francisco's honored citizens and devoted much of his time to the general welfare of the community. In a reminiscent mood, Hallidie commented:

"California that has become so endeared to me was an accidental love, and brought about by circumstances over which I had no control. I was a passenger in the bark that carried me on in the voyage of life and took me to a land in which my experiences of early youth were not accompanied by the gentleness of polish of the family surroundings which sweet memory still treasures of in the dim shadows of boyhood."[23]

He gained recognition and prominence through his participation on the platform and in the press in the discussion of the burning issues of the day. His brilliant articles on labor organization and kindred subjects attracted wide attention.

Hallidie's desire to associate with men of intelligence brought him into the Mechanics' Institute. Almost from the organization's inception he worked tirelessly toward its progress. Much of the credit goes to Hallidie for laying the solid foundation upon which this organization was established. Hallidie became a trustee and vice-president in 1864 and served as president from 1868-1877.[24] The beginnings of the Mechanics' Institute were reviewed in an address delivered by Hallidie before the Librarians' Association of Central California on December 11, 1896, when he summarized some of the Institute's historical highlights:

> .... On 21 June 1855, the Institute hired a room on the 4th floor of the Express Building [Kohl Building], corner Montgomery and California streets, owned by Sam Brannan. As there were no mechanical elevators in those days, the ascent of four flights of stairs showed a devotion to the cause, both inspiring and elevating.
>
> Mr. Root was appointed librarian on April 5, but failing to qualify, the Board on July 31 appointed Mr. P. B. Dexter, perhaps considering it more appropriate for an institution not yet firmly rooted and requiring dexterous manipulation for its successful maintenance.
>
> The press of the city contributed two copies each of the daily journals and thus the reading room was inaugurated ....
>
> September 12 a financial statement was rendered, and it was found after providing for all liabilities $125.00 remained in the treasury and that the library possessed 75 volumes.[25]

It was due to Hallidie's efforts that the British Patent Office made a gift to the Institute of a full continuous set of its reports. This was the only complete set west of St. Louis and was unfortunately destroyed by the fire of 1906. In 1893 Hallidie resumed the Institute's presidency and served until 1895.[26]

Hallidie's chief efforts were directed toward promoting educational progress. He was most active as a regent of the University of California from the first meeting of the board in 1868 to his death, and acted as secretary at the preliminary meetings.[27] He was a member of the building committee, and from 1873 was chairman of the finance committee. The successful handling of the funds of the University was attributed to him. He made the first donation to the University Library in 1869, when he presented it with several hundred volumes of rare theological works.[28] He was also deeply interested in manual training and was one of the leading spirits in the management of the California School of Mechanical Arts[29] and the Wilmerding Training School.

In 1873 he served as a commissioner to investigate the Deaf, Dumb and Blind Institution. That same year he was nominated for the State senate, and in 1875 for mayor of San Francisco, by the Independent party; but in both cases he was defeated. For several years he was president of the Manufacturers' Association of California and also of the board of trustees of the Children's Hospital.

In 1878, and again in 1886, he was elected a member of the Board of Freeholders to frame and propose a charter for the City and County of San Francisco.[30] In December 1884, the Chamber of Commerce, the Board of Trade, and the Manufacturer's Association appointed him a delegate to represent California at the inauguration of Porfirio Diaz as President of Mexico.[31]

The California Wire Works was incorporated in 1883 with Hallidie as president. The company was the outgrowth of the A. S. Hallidie Co. (1870). On June 29, 1895, the wire rope manufacturing machinery was sold to Washburn and Moen Co., the oldest manufacturers of wire in the United States (established in 1831).[32]

Hallidie served as trustee of the First Unitarian Church, and as its moderator in 1883 and 1884. He held memberships in the American Society of Inventors, American Geographical Society, California Academy of Sciences, and other scientific and literary bodies. He was a member of the old California Historical Society and of the Pacific-Union, Olympic, and Sierra clubs.[33] Hallidie served for many years as a trustee of the Free Public Library of San Francisco.[34]

Although he traveled extensively, Hallidie was a man of domestic tastes. He felt at his best in his library, and his books were his closest friends. He was uncompromising in his ideas of right and wrong, and his standards with respect to fair dealing and general morality were very high.

On April 24, 1900, at the age of sixty-five, Hallidie died of heart disease at his San Francisco residence. Impressive funeral services were held in the First Unitarian Church. Dr. Horatio Stebbins delivered the eulogy and said in part:

> .... Hallidie belonged to that class of men who are called by way of distinction, self-made men. He was not only an intelligent, but, in a certain sense, a learned man ....

> He had that background of reserve power and discipline. . . . .
>
> . . . . For those who were dependent upon him in any way, for those in whose blood flowed a kindred strain, he was surpassingly good. . . . . All he could do was for them, and he left a host of silent friends . . . . into whose hearts that kindness has fallen like gentle showers upon the thirsty earth.

His body was laid to rest in Laurel Hill Cemetery.[35]

Hallidie's name is perpetuated in the Hallidie Building at 130 Sutter Street, between Montgomery and Kearny, San Francisco. Within the entrance of this building is a plaque bearing the inscription:

HALLIDIE BUILDING

NAMED IN HONOR OF
ANDREW SMITH HALLIDIE
BORN IN LONDON ENGLAND
MARCH SIXTEEN 1836
DIED IN SAN FRANCISCO
APRIL TWENTY-FOUR 1900—
CREATOR OF OUR CABLE RAILWAY—TWICE
MEMBER OF A BOARD OF FREEHOLDERS
CHOSEN TO FRAME A CHARTER
FOR THIS CITY—REGENT OF THE
UNIVERSITY FROM THE FIRST MEETING
OF THE BOARD JUNE NINE 1868 TO
THE DAY OF HIS DEATH—DURING HIS
LAST TWENTY-SIX YEARS DEVOTED
CHAIRMAN OF ITS FINANCE COMMITTEE
BUILDER • CITIZEN • REGENT
A MAN OF INTEGRITY

NOTES

1. Hallidie's mother died in London in 1849, and his father in Lockerbie on May 17, 1861. The biographical material for this article was obtained from manuscripts and printed articles (mostly by Hallidie himself) which comprise the Hallidie Papers, in the library of the California Historical Society. These were presented to the Society by Mrs. Philip Rowe, a niece of Mrs. Hallidie.

2. For further information concerning the Mariposa estate, see Allen Nevins, *Frémont, Pathmarker of the West* (New York: D. Appleton-Century Company, 1939), especially Chapters XXIV and XXVIII.

3. The *Brother Jonathan* was later wrecked, on July 30, 1865, off Crescent City, California. See Ernest Abram Wiltsee, *Gold Rush Steamers* (San Francisco: The Grabhorn Press, 1938), pp. 304-6.

4. Andrew S. Hallidie, Diary written en route from Liverpool to New York and thence to San Francisco via Panama in 1852, MS, Hallidie Papers, California Historical Society.

A receipt for $200 for passage of A. Smith, Jr., on the ship *Brutus*, dated at Panama, March 16, 1852, and signed, "Garrison & Fretz, Consignees, pr Ralston," is included in the Hallidie Papers.

5. Hallidie, "Moquelomne Hill—Vamos—and Prince Liv," MS, Hallidie Papers.

6. Hallidie, "Ho! for Kern River," MS, Hallidie Papers.

7. Hallidie, "Moquelomne Hill—Vamos—and Prince Liv," MS, Hallidie Papers.

8. He was on his way to a camp on the divide between the Mokelumne and Stanislaus rivers. Hallidie, "A Forest Fire," MS, Hallidie Papers.

9. Hallidie, "Shooting the Rapids," MS, Hallidie Papers.

10. Hallidie, "A Perilous Stage Ride," MS, Hallidie Papers.

11. Hallidie, "The Army of Gray Eagle Bar," *Overland Monthly*, XIII (July 1888), 34-37.

12. Hallidie, "A Trip to the Eurocs and Back in 1861," MS in Hallidie Papers; also article in *Overland Monthly*, IX (April 1887), 340-46.

13. Hallidie, "Bridge Building and Patriotism," MS in Hallidie Papers.

14. *Ibid.*

15. Hallidie, "Bridge Building, Fish and Indians on Fraser River," MS in Hallidie Papers.

16. Certificate of Citizenship, Circuit Court of the United States of America, for the Northern District of California, San Francisco, January 4, 1864, in Hallidie Papers.

17. A description of Hallidie's ropeway is given in *Transportation of Ore and Other Material by Means of Endless Travelling Wire Ropes; Hallidie's Patent Endless Wire Ropeway (Wire Tramway) with Suggestions as to Its Erection* (San Francisco, 1882), a pamphlet in the Hallidie Papers.

18. "Cable Railroads in San Francisco," in *Mining and Scientific Press*, XLIII (Sept. 3, 1881), 156, in Hopkins Transportation Library, Stanford University.

19. Report to the Mechanics' Institute, October 7, 1890, quoted in a biographical sketch (typewritten MS) in the Hallidie Papers.

20. *The Invention of the Cable Railway System* (San Francisco, 1885), p. 1, pamphlet in Hallidie Papers.

21. *Ibid.*, p. 2.

22. Edward H. Nutter informed the writer that Hallidie had made this statement to his brother, David Nutter, who was manager from 1896 to 1900 of the Hallidie ranch in Portola Valley near Woodside, California.

23. Unpublished miscellaneous notes, Hallidie Papers.

24. John H. Wood, compiler, *Seventy-five Years of History of the Mechanics' Institute of San Francisco* (San Francisco, 1930), pp. 33-34.

25. Hallidie, "Story of the Mechanics' Institute," original MS, Mechanics' Institute, San Francisco.

26. John H. Wood, *op. cit.*, p. 39.

27. Certificates of his appointment as regent of the University of California: one dated December 24, 1873, and signed by Governor Newton Booth; one dated April 4, 1878, and signed by Governor William Irwin; one dated November 17, 1887, and signed by Governor R. W. Waterman; and one for a term of sixteen years dated April 30, 1891, and signed by Governor H. H. Markham; in Hallidie Papers.

28. William Carey Jones, *Illustrated History of the University of California* (San Francisco, 1895), XII, 290.

29. A pamphlet entitled *The California School of Mechanical Arts, Founded by James Lick; Address of Vice-Prest. Andrew S. Hallidie at the Annual Observance of Founder's Day, September 21, 1898,* is among the Hallidie Papers.

30. A certificate of appointment to the Board of Freeholders, dated April 8, 1880, and signed by Registrar Louis Kaplan, is in the Hallidie Papers.

31. *National Cyclopaedia of American Biography* (New York, 1897), VII, 191.

32. George Thomas, assistant superintendent of the Pacific Works, Columbia Steel Corporation, supplied the writer with this information from a letter written by the former superintendent, the late F. S. Phelps, on May 19, 1911, to A. T. De Forest, president of the United States Steel Corporation, Pacific Coast Division. The netting machinery of the California Wire Works was taken over by a new concern incorporated for that purpose, called the California Wire Cloth Company. The California Wire Works continued for a comparatively short time after that, engaged in the manufacture and installation of aerial tramways and other appliances of kindred nature invented by Hallidie and of which he controlled the patents.

33. *National Cyclopaedia of American Biography, loc. cit.*

34. "A meeting of public-spirited citizens was held in the year 1877 in Dashaway Hall, and as the outcome of their action George H. Rogers, State Senator from San Francisco, introduced a bill into the Legislature, which became a law March 18, 1878. Under the provisions of this law, the Library was organized with eleven Trustees, named in the Act itself, as follows: Henry George, John S. Hager, A. S. Hallidie, A. J. Moulder, George H. Rogers, E. D. Sawyer, Irving M. Scott, Louis Sloss, C. C. Terrill, R. J. Tobin, John H. Wise. These trustees made George H. Rogers President, Henry George Secretary and Albert Hart Librarian." "Report of the Board of Trustees of the San Francisco Public Library for the Fiscal Year Ending June 30, 1904," in *San Francisco Municipal Reports . . . . 1903-1904* (San Francisco, 1905), p. 258.

The certificate of his appointment as trustee of the Free Public Library dated April 29, 1880, and signed by Governor George C. Perkins, is in the Hallidie Papers.

35. San Francisco *Chronicle*, April 29, 1900.

Memoirs of Hon. William M. Gwin

Edited by William Henry Ellison

(Continued)

ON THE third of January, the bill in regard to land titles in California came up for consideration. Mr. Benton addressed the Senate at large in favor of a substitute for the bill which Mr. Gwin had proposed. The question at issue between Mr. Benton and Mr. Gwin in regard to settling the land titles of California was mainly in regard to making the decisions of the Supreme Court of the United States final in the matter. Mr. Benton was opposed to this. He said that the litigation would be very expensive to the land claimants and the delay might be ruinous to their interests. The position taken by Mr. Gwin was that the vast area of these land claims, covering the most valuable portion of the State, most of which were inchoate, made it dangerous to have any other tribunal to decide finally upon the validity of these claims, that an inferior tribunal might be tampered with, that fraudulent claims on a gigantic scale were liable to be confirmed, [and] that the subject was one of too great importance to be disposed of any other way. The bill proposed by Mr. Gwin finally became the law under which all the land claims in California were settled, and the elaborate argument of Mr. Gwin in favor of his bill was the principal cause of its being enacted into law. An extract from his speech on this subject, delivered in the Senate on the eighth of January, is here inserted:

> Mr. President, it is fortunate for me that I am not required to prepare an argument of my own in support of this bill. It is prepared, and ready for my use, and I am only required to read it to the Senate.
>
> There is no claim to originality in the bill. I claim no credit for originating a single provision of it. It is based upon expositions of treaty obligations to protect private property, and guard against frauds upon the Government as land owner in decisions of the Supreme Court of the United States. This bill is framed in accordance with the decisions of that distinguished tribunal, whose authority is universally respected. We look in vain amongst these decisions for authority to sustain the fierce denunciations that have been heaped upon this Government for the system adopted to settle land claims in the countries ceded by France and Spain. If this system is as monstrous as it has been represented, how has it escaped the censure of this august tribunal? But I will say no more on this subject, but proceed to the examination of the origin of the California law claims. A brief description of their origin may be necessary, to show the adaptation of this bill to the wants of the country in the settlement of these claims. I shall rely for authority upon this point principally upon the able report on California land claims, made by Captain Halleck, of the United States Army, while acting as Secretary of State under the *de facto* government of California, and the documents that accompany that report. It was made to the Acting Governor, Colonel [Richard B.] Mason, on the first of March 1849.
>
> Before I proceed to read from the report of Captain Halleck, I will call the attention

of the Senate to what the Senator from Missouri [Benton] said in commenting on this bill:

"But the substitute which is before us goes the whole length of running the gauntlet of all three trials. And what must be the result? It must be that the claimants, except in some great cases, and cases in which probably some American is arraigned—so much are the French and Spanish afraid of law suits—that the parties will surrender their claims rather than undertake to pursue them through three law suits. I have deemed it particularly hard to apply these principles to any people, and especially to the people of California, who were induced by the most liberal assistance on the part of the Crown of Spain to go there and accept these lands as a gracious gift. The people were induced to go there, Sir, and accept these lands as a gracious gift; they were offered great inducements to accept of them.

"Now, Sir, these people, after having been induced to accept these lands as a gracious gift, after having been paid to accept them and being exempt from contributions for several years, in the course of events fall under the dominion of the United States incontinently, and at the same moment when we with two strokes of the pen pass off ninety-five millions of acres of public lands—call it a hundred millions—equal to four states as large as the State of Ohio—all gone in two acts—at this moment these three-fold trials are to be brought against the people of California, to take away the lands which they were induced to accept from the Crown of Spain. . . .

"And he, an American, who has some knowledge of the rights themselves, is to be brought up, and what he said with respect to his own property is to be brought up as a reason why the people of California shall be dragged through three suits at law, and brought here to the Supreme Court of the United States in order to defend the land which the King of Spain induced them and paid them to accept three quarters of a century ago."

Now, Sir, let us examine the claims that were granted by the Crown of Spain, which it is alleged are to run the gauntlet of three law suits. These claims are described as follows by Captain Halleck, with all the official papers before him, to which he refers for his authority, and publishes them with his report:

"*Laws and regulations governing grants or sales of public lands in California.*[44]—The first authority for granting lands in Upper California is contained in the viceroy's instructions to the commandant of the 'New Establishments of San Diego and Monterey,' dated August 17, 1773. By articles 12, 13, 14 and 15 of these instructions, the commandant is empowered both to designate common lands, and to grant titles to individuals, whether Indians or new settlers, in the vicinity of the missions or pueblos. He might also, if he deemed it expedient, change any mission into a pueblo, and subject it to the same civil and economical laws as governed the other pueblos of the kingdom.—Vide appendix No. 1.

"On the twenty-first of September, 1774, the viceroy wrote to the commandant in Upper California, granting permission to the soldiers of the garrisons to marry the baptized Indian girls of the missions, and authorizing the assignment of lands to the soldiers so marrying. The first grant of this kind was that of a piece of land in Carmel Valley, of one hundred and forty varas, to Manuel Butron, who had married an Indian girl of the mission of San Carlos.[45]

"In order better to carry out the wishes of the Spanish government in reference to the establishment of depots of provisions, &c., in Upper California, for refreshing the Spanish vessels from the East Indies, and to furnish supplies to the garrisons of the presidios, directions were sent by the viceroy to Governor Neve in June, 1777, to establish two pueblos, one on the 'Rio Guadalupe,' and the other on the 'Rio Porcincula [La Porciúncula],' and to portion out ground to the new *publadores* [*pobladores*] or colonists.

"On the first of June, 1779, the governor drew up a set of new regulations for the government of California, which was approved by the King in a royal order of October 24, 1781. Title 14 of these regulations contains instructions respecting colonization and the government of the new colonists. Each *publador* was to receive a bounty of $116.44 per annum for the first two years, and $60 per annum for the next three years; and also was to have the loan of horses, mules, cattle, farming utensils, &c. The streets, squares, municipal and common lands of the pueblos, and the *solares*, or house-lots, and *suertes* or sowing lands of the *publadores*, were to be designated by the government.

"Discharged soldiers were to receive building and planting lots, the same as the colonists. All the *publadores* were to possess the right of pasturing their cattle and of cutting wood on the common lands of the pueblos. Certain conditions were to be attached to these grants of land, such as the building of houses, planting of trees, &c., within a specified period of time.—Vide appendix No. 2.

"These regulations, with slight modifications, have formed the basis of the laws which have ever since governed the pueblos of California.

"On the twenty-second of October, 1791, orders were sent to Governor Romeu, authorizing the captains of presidios to grant and distribute house-lots and lands to the soldiers and citizens within the extent of two common leagues in every direction from the centre of each presidio square.—Vide appendix No. 3."

These are the Spanish grants for which the Senator pleads so feelingly; and what are they? Pueblo and mission lots; privileges of grazing and cutting wood. Not a single large contested claim in California, so far as I have been able to ascertain, ever emanated from the Government of Spain. The village and mission titles, and perhaps others, originated with that Government; and what does the bill before the Senate propose to do with the former? The 10th section of the bill provides:

"That it shall be the duty of the board to ascertain and report to the Secretary of the Interior the nature of the claims to town-lots or other lands, if any such there be, not embraced by the foregoing provisions of this act; and also the character of the tenure by which the mission lands are held and those held by civilized Indians, or those who are engaged in labor, agriculture, &c. and also those which are occupied and cultivated by Pueblos or Rancheros Indians."

This is the fiery ordeal described by the Senator through which these Spanish claims are to pass. They are to be reported upon to the Secretary of the Interior, the people [are] not to be disturbed in their rights or possessions, nor to be frightened out of their wits, as the Senator intimates, nor driven by our oppression to abandon their homes and seek protection and other lands under the *paternal* government of Spain; a government which has swept like a pestilence over the fairest portions of America; whose officers were the robbers of this continent; who spread devastation by fire and sword everywhere they went. And why [are they to be] driven from our country to seek such an asylum? Because this board is to inquire into the tenure by which they hold their possessions, and report to the Secretary of the Interior. And what then? Why, upon his examination and recommendation, Congress will confirm every one of them that was honestly and fairly obtained, the parties remaining in the meantime in quiet and undisturbed possession of their property.

But suppose the Commissioners may decide that these claims are "embraced by the foregoing provisions of this act." Well, what then? They are required in the third section of the bill, to give these claimants the benefit of the treaty with Mexico, the law of nations, the law, usages and customs of the government from which the claim is derived, but they are required to go further, and give them the benefit of the "law of prescription in favor of possessory rights, as applied to individuals." These are the very words of the bill. Well, what is the law of prescription? Ten years' possession, the parties present, gives a title; twenty years' possession, the parties absent, gives title; and thirty years' possession, with no claim, gives a title. Well, Sir, let us look at the history of California for a moment, and see what effect this law of prescription will have upon all the land claims derived from the Government of Spain. It is almost thirty years since California was severed from the Crown of Spain; and every claim originating with that Government would be confirmed by the law of prescription introduced into this bill.

Now, what becomes of this charge of oppressing the claimants under Spanish titles in California? Scattered to the four winds of heaven. Not only are they not oppressed, but they are most carefully and doubly protected. The passage of this law confirms every one of these claims. It is only necessary to show that they originated with the Spanish Government, and their confirmation follows as a matter of course. And I confess that I had this object in view when I introduced the bill. These old Spanish claims are not in contest in California and never have been. There is no difficulty about them and will not be. It is the recent grants held by a few individuals, covering an immense extent of the most valuable portion of the country, that we wish examined and decided—claims where the property is now assessed at $10,000,000 and daily becoming more valuable—claims about the validity of which there is great difference of opinion; and fierce and bloody collisions have grown out of these different opinions. We wish these settled, and by the highest judicial tribunal in the country—a decision by which all must and will abide.

Mr. President, I conceive it to be my duty to notice other portions of the speech of the Senator from Missouri, on Thursday last, in regard to the ruinous effects to the interests of my constituents that will result from the passage of this bill into a law. After describing the manner in which Spain, by munificent donations, induced colonists to settle upon her public domain, he says:

"Now, Sir, when we have got possession of such a people as this, how strange it is to find ourselves at once arraigning every title, holding every title to be a fraud against the United States, until the parties shall prove in three different courts, and one of them the Supreme Court of the United States, that they were not frauds against the United States."

I need only repeat what I have said before, that this bill arraigns no Spanish title; that it holds up no Spanish title as a fraud against the United States; that such titles do not have to pass through the ordeal of three different courts, one of them the Supreme Court of the United States, to establish their validity. The grants made under the Government of Spain in California, as has been before stated, were principally in pueblo and mission lots. These the commissioners can confirm outright, or, under the tenth section, report upon them to the Secretary of the Interior, to be laid before Congress for confirmation; and in the case of larger grants, if there be any such, the commissioners are bound to confirm them, under the law of prescription as adopted in this bill. As I have stated before, and now repeat, this law of prescription was inserted in the bill to confirm every Spanish title in California. The claimants have only to prove that their claims originated under the Government of Spain, and they are confirmed as a matter of course. I never heard of a charge of fraud against a Spanish grant. The Senator further says:

"Mr. President, when was California settled? About the time of the commencement of our Revolution. I speak of Upper California, not the peninsula, which was settled long before that day. But I speak of that California which is now ours. It was settled contemporaneously with the breaking out of our Revolution, about contemporaneously with the settlement of Kentucky. Now, suppose a case which might be analogous; suppose Kentucky had either just now been acquired by us by cession, or that she had joined us as Texas did, or that she had been ceded to us by some foreign power. In either case suppose any power should undertake to enforce upon Kentucky what we now propose to undertake to enforce upon California, requiring every citizen to go before a tribunal and make good his title to his land, and then go before another tribunal and make it good there, and after that make him come before the Supreme Court of the United States, and if he did not make it good in all three cases, take away his land and give it to the public. Suppose we undertake to do such a thing as that in Kentucky. Sir, we would have a revolt in which the men of Kentucky would quit these United States."

From this the inference may be drawn that the people of Kentucky would quit the Union rather than pass through the ordeal that the people of California are required to do by this bill. Now let me ask the Senators from Kentucky whether the citizens of that state have not passed through a much more fiery ordeal in the final adjudication of land claims in that state. Was not the whole state shingled over with conflicting claims? Were not ejectment suits as thick as blackberries in their courts? Yet, during these trying times to the people of that state, we hear of no suggestion to revolt, or to quit the Confederacy. If it could so happen that Kentucky should be ceded by this Government to a foreign power, every land claim in that state would be found of record in the county where it is located. They have been adjudicated and settled by the highest judicial tribunals of the country, and could never be disturbed. Such is not the case in California. But this bill proposes speedily to bring about this desirable result. And I venture to predict, if it becomes a law, that there will not be one appeal from the tribunal that investigates these claims where there were fifty in the adjudication of land claims in Kentucky.

Again, the Senator says: "There may be a hundred thousand people there, for aught I know, who want the lands of the few." And again: "I do not care how few there are who have claims now, or how many there are who want their property." If from this the inference may be drawn that any portion of the people of California desire to appropriate to themselves any lands lawfully granted by the Governments of Spain and Mexico, I meet it with an unqualified contradiction. No portion of the people of California will ever countenance a violation of the rights of property guaranteed to any portion of the inhabitants of that country under the treaty with Mexico. All they desire is that some competent and impartial tribunal, such as is provided for in this bill, will decide what is private property, and it will be respected.

Again, the Senator says:

"Mr. President, I say that no people, unless they are entirely too weak to fight, would submit to what we propose, and some who have been too weak to fight have revolted under such circumstances; nay, under a slight suspicion that such things were to be forced upon them. Sir, the most terrible revolt ever seen in the annals of the human race, perhaps, was that which occurred in October, 1779, in the City of Cairo, a revolt against the power of the French. That was a revolt which raged during four days, when the French were assailed in their houses, many of whom were killed, and it required the artillery force of the greatest general in Europe to quell it. What did it come from? It came from merely a request to the people to give in a list of their titles in order that they might be registered."

Sir, this is a dangerous historical reference. It points out where the people of another nation have revolted, for what the Senator from Missouri calls a less provocation than the people of California will have if this bill becomes a law. These people have lately been incorporated into the Union. The act of cession was consummated without consulting them, and without their knowledge or consent. They are not familiar with our institutions or form of government. They have been subjected to the iron rule of military governors, and as yet are ignorant of the constitutional guarantees by which their property is protected under our Government. They may be stimulated to vote against our Government by this speech. It may, and probably will, be read by hundreds who may never see the bill it denounces. From the distinguished reputation of the Senator, his opinions may be considered the true exposition of the law, and that they will be degraded if they submit to it. In fact, the Senator intimates as much, for he says:

"Now, if the people of Cairo were in California, and if we proposed to register their titles even, it might bring on a revolt; but the people of California may not revolt. They are but few; their resource will be to fly from the country, and that will be done."

This will be interpreted to mean, if the people of California are as brave as the people of Cairo were, there might be a revolt; but as they are not so brave, they will submit and quit the country. No greater insult can be cast upon the people of a nation than the intimation that the people of another nation that exists or has existed are braver than themselves. I deplore this tone of argument in the discussion on this bill. If the Senator believes what he says, and I have no doubt he does, he had better not have expressed it in as strong language as he has. The people of California are now happy and contented, especially the ancient inhabitants of the country. They are more prosperous than they ever were; enjoy more privileges than they ever have under any other governments; are pleased with the change, and look forward to a prosperous and glorious career. They ask for and expect that we will pass such laws as will meet their wants, and to put them on the same favored footing with the citizens of the other states of the Union. Why sound the tocsin of alarm in advance, that, instead of legislating for their benefit, our laws will tend to destroy their rights and drive them from the country?—for such the Senator says will be the result of the passage of this bill. A more fearless or braver people does not exist than the ancient inhabitants of California. They proved this in the Mexican War. The Mexicans nowhere else fought as bravely and boldly. They are not a people to be driven from their country by oppression. If they could be induced to believe (which is impossible) what the Senator says, that this bill, if it becomes a law, will confiscate their landed estates, instead of ingloriously flying, they would wreak their vengeance upon those who have favored its passage, and myself and those of my colleagues who agree with me in the belief that this law ought to pass, when we return home, will be more likely to be visited with the stiletto, than greeted with "Well done thou good and faithful servants." I therefore, Mr. President, have conceived it to be my duty to occupy more of the time of the Senate than I ever expected that I should be required to do until I became an older member, to explain the objects of this bill and to show its beneficial operation upon the people of California; that instead of disturbing, it will quiet their titles to land; that if they hold them by Spanish or valid Mexican grants, they and their descendants will ever hereafter retain the possession of them in peace. The object of this bill is to do this speedily and effectually, and before tribunals that no man can say will fail to render them full and ample justice. I wish the ancient inhabitants of California to know this, that they may continue to be, as they are now, a contented and happy people.

Sir, the people of California have been praised throughout the civilized world for the moderation and love of law and order they have exhibited within the past two years. Neglected by this Government, taxed without authority of law, and afterwards by law, but deprived of representation, they have forborne to exhibit that spirit of discontent which was everywhere expected of them. The exultations and rejoicings of a united people, when they received the news of their admission into the Union as a State, show the value they place upon the Union, its Constitution, and its laws.

I do not wish this unanimity disturbed by any act of ours; and if I know myself, I would not hesitate to abandon any law that I thought could by possibility in the slightest degree prove injurious to the interests of the people of California or weaken their attachment to this glorious Union. I believe that this bill, if it passes into a law, will be beneficial instead of injurious to them, and increase rather than weaken their attachment to the Union, and I shall therefore earnestly urge its passage, unless convinced that I am in error.

The bill finally passed by an immense majority in the Senate, and with no opposition in the House. Subsequent events demonstrated the necessity of such a law as was passed, to subject the land claims of California to a rigid scrutiny.[46] A number of fraudulent claims were presented to the board of commissioners created by this law, and these fraudulent claims were the best prepared of any that came before the board. They included nearly the whole of the city of [San] Francisco, the islands in the harbor upon which the fortifications had been constructed, the Navy Yard, and other valuable tracts. Nearly all the eminent men of the legal profession were employed in the prosecution of these fraudulent claims; and so great was the danger of their confirmation that it became necessary to employ additional counsel to aid the United States District Attorney in resisting them. The subject was brought to the notice of Mr. [Jeremiah S.] Black, United States Attorney General under Mr. Buchanan, by Mr. Gwin, and they laid the matter before the President, who authorized the Attorney General to select some man of eminent legal ability to proceed to California, to assist the District Attorney in resisting these claims. Mr. Gwin procured ample appropriations to enable the Assistant Counsel of the United States District Attorney to procure all testimony that could be commanded to prove these claims to be fraudulent. Mr. Black, the Attorney General, selected the Hon. E. [Edwin] M. Stanton as special counsel, under this arrangement. This gentleman afterwards became attorney general of the United States under Mr. Buchanan, and secretary of war under Mr. Lincoln. The great ability which he displayed in these later positions was foreshadowed by the skill with which he prosecuted the inquiry into these fraudulent claims, and the success that attended his efforts. One case need only be named, to illustrate the vast extent of these attempted frauds. [José Y.] Limantour, a Frenchman who had lived long in the city of Mexico, presented claims covering a large portion of the city of San Francisco and the islands adjacent upon which fortifications were constructed, Mare Island, and an immense area up the coast, north of the Golden Gate. Every form of law had been strictly complied with in the preparation of these papers, and it seemed impossible to detect the fraud; but by persevering scrutiny it was discovered that the seal of state, which was applied to all Mexican land grants, and the seal that was used in the Limantour grants had one important difference: the spread of the wings of the eagle on each differed from an eighth to a sixteenth of an inch, and it was demonstrated that the seal on the Limantour grants was counterfeit. This discovery was fatal to the Limantour claims, which were all rejected, and Limantour was arrested and held to bail in the sum of thirty thousand dollars. He deposited with certain gentlemen thirty thousand dollars in gold coin, got them to sign his bond as sureties, and fled from the country, and has never returned to it since.

Mr. Gwin, during his whole term in the Senate, was persistent in his efforts to have the titles to these private land claims finally settled and their boundaries defined, so that the public domain should be thrown open to actual settlers and cultivators of the soil. The slow progress that was made in the adjustment of these claims induced him to offer a bill in the Senate allowing actual settlers and cultivators to own any land in California, to prove up their preemption for a hundred and sixty acres of land, and if in the ultimate decision of the private land claims it was found that these preemptors had located on lands within private claims, the private land claimant was entitled to a floating claim, to be located on any public land, in lieu of what had been taken by the settler. So formidable was the opposition to the passage of this bill, that it was never favorably acted on in the Senate.[47]

A subject of very considerable importance to that portion of the Army and Navy of the United States on service on the Pacific Coast was brought before Congress at this session which was to double the compensation of these employees on account of the great expense they incurred, on account of the discovery of gold in California. Mr. Gwin was a member of the Committee on Naval Affairs and succeeded in passing a bill during the ensuing session of Congress granting to the naval employees on the Pacific Coast double compensation during their service there.[48]

On the eighth of February, Mr. Gwin introduced a bill to establish a branch mint of the United States in California which became a law, but it was not until two years thereafter that he succeeded in getting it into practical operation.[49]

One of the most important bills before Congress at this session was to provide for the survey of the public lands in California, granting donation privileges therein, and for other purposes.[50] Mr. Gwin had urged its consideration time and again during the session but failed to get it before the Senate until the twenty-seventh day of February, just before the adjournment. There was known to be a decided majority in favor of the bill, both in the Senate and the House of Representatives; but there was no previous question in the Senate, and its discussion could not therefore be abridged in that body; the minority opposed to the passage of the bill wearied out the Senate by discussion, until Butler of South Carolina, who was opposed to all grants of lands, all donations, and all preemptions, took advantage of the temper of the Senate to tell an anecdote, in reply to the claims of California, and then moved an adjournment, which was always a strong point in that as well as other deliberative bodies. His anecdote referred to a rustic dance in his state, where a gallant from the city with his partner made their appearance, dressed, as the Senator described it, in store clothes. After waiting for sometime, unnoticed, the beau made a proclamation aloud to the dancers to stand aside and give Flouncetail a chance. The rustics replied that Flouncetail had already had her privileges and her amusements, and she must stand aside and give them a chance. Mr. Butler stated that California had been before the Senate day in and day out, nearly every day of the session; she had had her chance, and he hoped the Senate would adjourn now and give the other states a chance. The Senate in that temper adjourned, and the bill never could be got up again for consideration during that session. Thus was defeated a system of legislation that was not adopted for years in the State, granting donations to actual settlers.[51]

Mr. Gwin was more successful in another measure in which he took great interest, which was the extension of the Coast Survey to the Pacific Coast. With all of his efforts, he could get only a small appropriation of $40,000 recommended by the Committee of Ways and Means in the House, and the Finance Committee of the Senate, for this important work, and this amount was totally inadequate to be of any service. Mr. [Hannibal] Hamlin, chairman of the Committee of Commerce in the Senate, and Mr. [Robert Milligan] McLane, chairman of the Committee of Commerce in the House, fully agreed with Mr. Gwin on the importance of having a large appropriation during that session, to inaugurate the Coast Survey on the Pacific Coast; and it was agreed that Mr. Hamlin, as chairman of the Committee on Commerce, should move an amendment from his Committee to one of the appropriation bills then pending in the Senate, of $250,000, for the purpose of prosecuting the survey of the Pacific Coast. The amendment passed, and went to the House, and passed through that body with the active aid of Mr. McLane, of Maryland. This was in addition to the $40,000 reported by the Ways and Means and financial committees, which also passed in another bill, making $290,000, which enabled the Superintendent of the Coast Survey to inaugurate a system of surveys on this coast on a large scale. The result of this policy was that within ten years as much progress had been made in the survey of the Pacific Coast as was made on the Atlantic Coast in thirty years.[52]

Other laws of great importance to the State were passed during this session. In fact it may be said that the Government of the United States was only in full operation in California after the close of this session. Numerous offices were created and filled. For the first time, we had United States district judges, [Ogden] Hoffman [Jr.] in the Northern, and [J. M.] Jones in the Southern District.[53] Numerous ports of entry were created at Sacramento, Benicia, Stockton, Monterey, and San Diego and Humboldt. It was an experiment to ascertain where the commerce would mostly develop itself. Trade and commerce demonstrated that there should be but one customhouse on the Pacific Coast and that at San Francisco, and all others were abolished or made ports of delivery only.[54] Indian commissioners were also appointed, but they were superseded by a superintendent of Indian affairs, and agents for the various reservations.[55]

The law to adjudicate land claims having passed, three commissioners were appointed, the Commission was promptly organized, and the adjudication of land claims was begun and continued successfully for many years.[56] The wisdom of this measure has been demonstrated by the quieting of land titles in California in one-third of the time that was occupied in litigation in the acquired territories of Louisiana and Florida. Even to this day, after the expiration of three-quarters of a century since the acquisition of Louisiana, suits are pending in the United States courts for settlement of claims originating under the French and Spanish Governments; and the same may be said of Florida after the lapse of more than half a century since its cession by Spain to the United States.

Mr. Gwin had a great ovation on his return to California, after Congress adjourned. An unprecedented compliment was paid to him by the legislature of the State passing a joint resolution, tendering him the thanks of the people of California for his indefatigable exertions and zeal, his constant and untiring advocacy in the Senate of the United States of the just claims and interests of the State. No member of Congress, of either house, in so short a term of service, ever received such an endorsement. Mr. Gwin's response to this Resolution is inserted here as worthy of historical record:

San Francisco, April 30, 1851.

To the Hon. D. C. Broderick, President pro tem. of the Senate, and Hon. John Bigler, Speaker of the House of Assembly of California.

Gentlemen,

The Secretary of the Senate has transmitted to me a copy of the Resolution passed by the Senate and House of Assembly, tendering to me the thanks of the people of California, for my "indefatigable exertions and zeal," and "constant and untiring advocacy in the Senate of the United States of the just claims and interests of the State."

I receive with profound gratitude such assurance of the confidence of the people of California, thus manifested through their Legislature, and will earnestly strive to merit a continuance of that confidence by my future efforts, securing to the State her best rights, as member of the Confederacy. The position of a Member of Congress from this new and unprecedented State is fraught with serious difficulties, and requires immense labor to comply with the righteous demands and expectations of its inhabitants, for much is equitably due to them which the Government at Washington does not comprehend. But arduous and onerous as are the duties imposed upon me as one of your Senators, I will enter upon their discharge at the ensuing session with invigorated hope and renewed determination, after this agreeable evidence received from this people that they will endorse my best efforts in their behalf, however inefficient, if prompted by zeal for their welfare.

I beg leave through you, Gentlemen, to express to the Senate and House of Assembly my warmest wishes for their success in ministering to the manifold wants of their constituents, and my most heartfelt thanks for this valued testimonial of their regard proffered me as a public servant.

Very respectfully

WM. M. GWIN

In the subsequent history of the State, these gentlemen filled important positions. One of them, D. [David] C. Broderick, became Mr. Gwin's competitor for a seat in the Senate, and a bitter controversy originated from this contest, which caused a vacancy in the Senate after the expiration of Mr. Gwin's term, for nearly an entire Congress. Subsequently Mr. Broderick was elected to succeed Colonel Weller, and Mr. Gwin to succeed himself. Mr. Broderick after serving during one Congress was killed in a duel with Mr. [David S.] Terry, Chief Justice of the Supreme Court of the State. John Bigler was elected governor of California in 1851 and 1853, renominated in 1855 and defeated, and was subsequently United States minister to Chile, under Buchanan's administration. In 1851 parties were for the first time formed in California, after Mr. Gwin's return from Washington; he took an active part in organizing the Democratic party and canvassed the State, advocating the nominees of that party.

Another notable event had its origin during 1851—the organization of the Vigilance Committee. The discovery of gold in California had drained other countries of their best and worst population. The latter congregated chiefly in San Francisco, where they defied the law. The first movement of the people for self-protection originated in 1849, by the trial of the "Hounds," a band of desperadoes who preyed upon the people with impunity. Then a committee of safety was formed, a court was organized to try these outlaws, and Mr. Gwin, as has been before stated, was selected as one of the members of that court. He had grave doubts of the policy of such a tribunal inflicting condign punishment upon criminals; in fact, he had determined that under no circumstances would he be a party to condemn any of the criminals to be executed, while the whole community were loud in their demands to have the leaders, especially [Samuel] Roberts, captain of the band, put to death. Mr. Gwin was relieved of this difficulty by calling to mind an important incident in the life of General Jackson. After Florida was ceded by the United States to Spain [by Spain to the United States—clearly a slip. Ed.], General Jackson was appointed governor, with all the powers that the laws of Spain had conferred upon the Captain General who had been appointed by that Government in that territory. On entering upon the discharge of the duties of this important office, General Jackson discovered that great frauds were being perpetrated upon the United States by the creation of fraudulent land claims manufactured after the cession of the country and that the late Captain General under Spain was a party to these frauds. General Jackson issued a proclamation, denouncing these claims as fraudulent and warning people against participating in the perpetration of these frauds or being deceived in the purchase of such claims—pointing directly to the Ex-Captain General as being a participant in these fraudulent transactions. That ex-official denounced this proclamation, using seditious terms, exciting the people to revolt against its execution. The Governor General, under the laws of Spain, was endowed with power in cases of emergency, to summarily execute criminals who were dangerous to the State. General

Jackson construed the action of the ex-Captain General as revolting against his authority, and calculated to excite rebellion against the same, and he ordered his Secretary of State to draw out a warrant ordering his immediate execution. The Secretary of State as well as the territorial officers were appalled at this sudden punishment to be inflicted upon one who had held such a high office in the territory, but none dared to interfere. But one of General Jackson's aides, who was a great favorite with him, took the responsibility of informing one of the United States judges of what was going on in General Jackson's office, and appealed to him to interpose his counsels. General Jackson was known to be a firm advocate of the supremacy of the judicial authorities of the country. After the Battle of New Orleans, when he was arrested by Judge [Dominick Augustin] Hall for declaring marshal law, and fined a thousand dollars, the people rose in arms against the act of the Judge, but General Jackson put a stop to all complaints by promptly paying the fine. The United States Judge in Florida thus appealed to promptly repaired to the General's headquarters, appearing there as if by accident, but the moment he presented himself General Jackson prepared for a controversy, determined to maintain his authority. General Jackson had often been termed the "Old Roman" for his firmness and decision at all periods of his life, and was fond of the designation. On this occasion he informed the Judge of his action, and of his determination to execute the criminal. The Judge was a man of great firmness and determination, and also a great wit and humorist, and it struck him at the moment, most fortunately, as a time to approach the General on what was called his weak point. In reply to General Jackson, after he had stated the case, he said that he was perfectly right in punishing this criminal, who was committing such great frauds upon the United States, but as to the mode of punishment, he differed with the General. "What other punishment," asked the General, "would you inflict upon him?" The Judge replied:

> I would treat him as the old Romans treated great criminals. I would exile him, and all of those in conspiracy with him in committing these frauds, from the country; man a schooner, and put them on board, with orders to be landed at the Island of Cuba, and issue a proclamation that if any of them are ever found within this jurisdiction, they shall be put to death.

This was the solution of the difficulty. They were exiled, and they never made their appearance again in the United States.

Mr. Gwin, remembering this circumstance, suggested to his colleagues this mode of punishing the "Hounds," and the principal criminals were exiled by being put on board a United States ship of war and sent out of the country.[57] But in 1851, a more summary organization was created, the Vigilance Committee. They seized criminals and executed them on the spot, notwithstanding that there was then a thoroughly organized state government, and Colonel John C. Hays, the celebrated Texas Ranger, was the sheriff of the County of San Francisco, an able and efficient officer. But the juries could not be relied upon to punish criminals, and the Vigilance Committee took the execution of the laws into their own hands and executed during that year several criminals. Subsequently in 1856, this formidable organization took possession of the city of San Francisco, and held it for several months, in defiance of the government of the State, and executed and otherwise punished a number of persons.[58]

The year 1851 was also noted for the great fires that occurred in San Francisco, consuming a large portion of the most populous part of the city.

The first session of the Thirty-second Congress assembled in Washington on the first day of December 1851. Mr. Gwin was the sole representative of California in the Senate, the legislature having failed to elect General Frémont's successor.

On the first day of the session Mr. Gwin gave notice of his intention to ask leave to introduce the following bills:

A bill to authorize and direct the payment of certain moneys into the treasury of the State of California which were collected in the ports of said State as a revenue upon imports, since the ratification of the treaty of peace between the United States and the Republic of Mexico and prior to the admission of said State into the Union.

A bill to establish a branch mint of the United States in the State of California.

A bill to provide for the location and construction of a central national railroad from the Mississippi River to the Pacific Ocean.

A bill to reduce the rates of postage on newspapers, and to establish a uniform rate of postage on letters throughout the United States.

A bill to establish a line of ocean mail steamers from San Francisco in California, via the Sandwich Islands, to Shanghai in China.

A bill to pay the expenses incurred for the suppression of Indian hostilities in California.

A bill granting the right for, and to aid in the construction of, a line of telegraph from the Mississippi River to the Pacific Ocean.

A bill to create a board of commissioners for the settlement of claims for military services in the State of California.

A bill to establish a navy yard and naval depot in California.

A bill to establish assay offices of the Mint of the United States at Sacramento City and Stockton, in California.

A bill to provide for the survey of the public lands in California, the granting of donation privileges therein, and for other purposes.

On the fourth of December, Mr. Gwin introduced the following resolution:

> *Resolved*, That the President of the United States be requested to communicate to the Senate a dispatch addressed by Mr. Niles, late American Chargé d'Affaires to Sardinia, to the Hon. John M. Clayton, secretary of state, on the subject of a ship channel

to unite the waters of the Atlantic and Pacific Oceans, having date June 30, 1849, if in his opinion such communication can be made without injury to the public interest.

On the 8th day of December, the Senate appointed its standing committees. At the previous session, Mr. [William R.] King [of Alabama], president pro tem. of the Senate, had been empowered to appoint the committees, and his selections had given great dissatisfaction. The State of California, just admitted into the Union, requiring an immense amount of legislation to place it on an equality with the other states, had but one senator, Mr. Frémont not being present during that session; yet Mr. Gwin was appointed on but one committee, that of Naval Affairs, and at the foot of the committee, at that. He and other senators, at the opening of the next Congress, determined that the Senate should appoint their own committees, which was accomplished as above stated, on the 8th of December. California still had but one representative in the Senate, Mr. Gwin, who was appointed on two committees of great importance in that body, the Finance Committee and the Committee on Naval Affairs. Of the latter committee he was made chairman. The following is a list of the members of that committee: Messrs. Gwin, [Robert F.] Stockton [of New Jersey], [Stephen R.] Mallory [of Florida], [George E.] Badger [of North Carolina], and [Hamilton] Fish [of New York]. It was a great distinction for California that her senator was placed at the head of such a committee. Commodore Stockton was a distinguished officer in the Navy, and resigned his position there to take a seat in the United States Senate. Mr. Mallory, during the vacancy of Mr. Gwin's seat in the Senate, on account of the failure to reelect him before the beginning of the next succeeding Congress, became chairman of the Committee of Naval Affairs and continued in that position till 1861, when he resigned his seat in the Senate on the secession of his State, Florida, from the Union. He was subsequently appointed secretary of the navy for the Confederate Government, and occupied that position until the close of the Civil War. Mr. Badger had been secretary of the navy under General Harrison, and was one of the most distinguished lawyers in the United States, with great practice in the Supreme Court. Mr. Fish had been a member of Congress from the City of New York and was afterward elected governor of the State of New York and United States senator from that State. He was appointed by General Grant secretary of state, and continued in that position throughout his administration.

On the 12th of December [1851], on motion of Mr. Gwin, the bill to establish a branch mint in California passed the Senate. There was no action in the House on the subject till near the close of Congress; so the mint was not put in operation there until 1853.

On the 18th of December, Mr. Gwin introduced his [first] bill to aid in the construction of a line of telegraph from the Mississippi River to the Pacific Ocean. It was ten years before he succeeded in securing legislation on the subject. In 1861 Congress passed a bill, introduced by Mr. Gwin, giving a subsidy of forty thousand dollars a year for ten years, to aid in the construction of the telegraph.[59]

On the 6th of January [1852], Mr. Gwin reported a bill from the Committee on Naval Affairs to establish a navy yard and depot on the Bay of San Francisco. There was considerable difficulty in selecting the proper site for the navy yard, which terminated in selecting Mare Island, the present site. The bill reported by Mr. Gwin provided for the establishment of a navy yard and depot on the largest scale. It was intended to correct the policy in regard to navy yards on the Atlantic Coast; to make one only on the Pacific Coast, and that equal to all the necessities of the Government in [the] future and also [of] the commercial marine of the United States. Like all the rest of the land around the Bay of San Francisco, Mare Island was claimed by certain persons, and in order to facilitate the work on the navy yard, Mr. Gwin advised that these claims should be compromised, and those who were found to have the best title should be paid to relinquish their claims to the Island. Fifty thousand dollars was appropriated and paid for this object, after a thorough examination of all claims to title on that island; yet, strange to say, a quarter of a century thereafter, there are parties setting up claims to this property. The law officers of the Government must have strangely neglected their duty, if these claims have any validity. It was with great difficulty that legislation could be procured for establishing a navy yard on the Pacific Coast. It was put off from week to week by senators who were opposed to appropriating the amount of money it would cost; but by persistent efforts Mr. Gwin succeeded in passing his bill and, in succeeding sessions of Congress, in getting large appropriations for this object.[60]

An incident that occurred in the Senate during this session will show the difficulties Mr. Gwin had to contend with in starting this navy yard. Workshops were first to be provided for; among these a blacksmith's shop. As this navy yard was to be on a grand scale, and these workshops were to exist for all time, it was necessary that in their first construction they should be erected with a capacity equal to the future demands of the service. The blacksmith's shop was to contain a hundred and ninety-six furnaces and cover acres of ground; and at the then high prices of labor and materials in California, such a vast building was estimated to cost a hundred thousand dollars. This did not appear in the appropriation for the navy yard, which was in the aggregate, for all expenses; but Mr. [Robert M. T.] Hunter [of Virginia], the chairman of the Finance Committee in the Senate, a watchful guardian of the Treasury, had the items that made up this appropriation printed for the use of the Finance Committee and, not wishing himself to have a controversy with Mr. Gwin, who was his colleague on the Finance Committee, took the printed estimates to his colleague, Mr. [James M.] Mason of Virginia, and pointed out this item of a hundred thousand dollars for the construction of the blacksmith shop. Mr. Mason rose with great solemnity and said he desired to call the attention of the Senate to one item in this appropriation, which was one hundred thousand dollars to build a blacksmith's shop, and he declared that he had never heard of a blacksmith's shop in the great State of Virginia, the mother of Presidents and statesmen, that had cost more than a hundred dollars. The Senate was taken by surprise and rather amazed at the amount of the appropriation, and the result was that the senators declared that they must take time to consider the enormous expense of this navy yard in California; and so the whole appropriation for this object was stricken out. But nevertheless, Mr. Gwin, in after sessions of Congress, got his appropriation of one hundred thousand dollars for this very blacksmith shop, one of the largest and completest in the world.

On the 19th of April, Mr. Gwin introduced a bill to provide for a monthly line of steamers from San Francisco, by way of the Sandwich Islands and Japan, to China. He secured the passage of such a bill through the Senate during several sessions, but it never met with the approbation of the House. On the same day an elaborate discussion took place between Mr. Gwin and Mr. [James A.] Pierce of Maryland, on the expenditures of money in California, in which Mr. Gwin severely censured the administration of General Taylor for useless expeditions for objects of no present importance. He contended that it was injurious to the State, for it added to the difficulties of getting appropriations for objects of great importance.

On the 20th of April, Mr. Gwin addressed the Senate at large in favor of his bill to allow preemptors of Mexican claims to prove up their preemptions, and [to] give the Mexican claimant, if his title was confirmed, a floating claim for the same amount of land, which could be located on any public land in the State of California. He was severely criticised for introducing this bill, and the combination of the owners of great land claims was too formidable to secure its passage; but subsequent events have demonstrated that its being enacted into a law would have proved beneficial to holders of land grants and to settlers.

The prices of labor, living, and materials were so great on the Pacific Coast after the discovery of gold, that it was impossible for the officers of the Army and Navy to live on their pay. In 1850, a law [had been] passed increasing the compensation of the officers of the Army. Mr. Gwin was chairman of the Committee on Naval Affairs, when the Naval bill was under consideration in the Senate, and offered an amendment to that bill, giving a similar increase of compensation to officers employed in the Navy. The amendment passed the Senate after considerable discussion, but was rejected in the House, and the same [was] made the subject of prolonged discussion in [the] Committee of Conference of the two houses. At length Mr. Gwin made a motion in the Senate, which was adopted, instructing the members of that body in the Committee of Conference to insist upon this amendment, making it a *sine qua non* to the passage of the bill, and the House was forced to accept the bill as thus amended, or defeat the entire bill.[61] All subsequent efforts to pay the officers of the Army a similar compensation up to the period of the passage of this bill failed. If the Senate had not so firmly adhered to its amendment, the employees of the Navy never would have received any additional compensation.

* * *

On the 22d day of December 1852, in the second session of the Thirty-second Congress, Mr. Gwin introduced a bill to aid in the construction of a railroad and telegraph line from the Pacific to the Atlantic Ocean and moved that it be made a special order in the Senate on the 10th day of January [1853]. After an elaborate discussion, in which a number of the senators took part, Mr. Gwin's motion prevailed. On the 13th of January, the special order, being the railroad from the Atlantic to the Pacific Ocean, came up for consideration. The principle adopted by Mr. Gwin in his bill was to have one great trunk road, starting from San Francisco, passing round the Bay of San Francisco, striking the foothills through Stockton, running down the Coast Range to Walker's Pass, across the Sierra Nevada, and running east to Albuquerque in New Mexico; thence branches to St. Louis and Dubuque, in Iowa, thus connecting with the Northern and Middle states; and to Memphis and New Orleans, connecting with the Southern states. An Oregon branch was provided for, to commence east of Stockton, and run northward along the foothills to Fort Nisqually in Oregon [now Washington]. Mr. Gwin opened the discussion with an elaborate speech, covering the whole ground, in favor of this great national work, so far as the researches made to ascertain the proper route at that date would permit. The subject was continued before the Senate, and nearly all the members of that body gave their views in regard to it. Various amendments were proposed in Committee of the Whole, and, on February 19, the bill as amended was reported to the Senate from the Committee of the Whole. It was supposed that it would be immediately ordered to be engrossed for the third reading, when a bomb shell was cast into the camp of its friends by an amendment offered by a senator from Illinois, General [James A.] Shields, that none of the money appropriated in the bill should be expended within the limits of a state. It was apparent at once that the introduction of this question would create a split among the friends of the bill. General [Lewis] Cass, the veteran senator from Michigan, led off in an elaborate speech in favor of the amendment. He was followed by Douglas from Illinois, and [John B.] Weller from California, on the same side. These three gentlemen had been voted for, for President, in the Democratic National Convention which [had] nominated Mr. Pierce in 1852. General Cass had been the nominee of the Democratic Party in 1848, and had been defeated by General Taylor. He was the most prominent candidate in 1852, and was certain of the nomination until it became apparent that Judge Douglas, the young, aspiring, and talented senator from Illinois, intended to enter the field as one of his competitors. This defection in the great Northwest was fatal to the success of General Cass, although he had a large plurality over any other candidate. It became evident that he could not be nominated, and a new man, General [Franklin] Pierce of New Hampshire, was taken up, nominated, and elected. Judge Douglas' friends made an earnest fight for him in the convention, without success, and the delegates from California were induced to vote for Mr. Weller, the newly elected senator from that State. Flushed with his success in that senatorial contest, he thought that this endorsement of the delegation from his own State might result ultimately in his nomination and election to the Presidency, and he perhaps had some reason for entertaining this hope, inasmuch as Colonel Frémont, his predecessor in the Senate and whom he had just defeated in the contest for the senatorship in California, became the Republican nominee for the Presidency in 1856. Although a President had just been elected, and was not yet installed, these three gentlemen, Cass, Douglas, and Weller, were laying the train to secure power in the Democratic National Convention of 1856, which would be called to nominate their candidate for President; and as the greater portion of that power in the Democratic party came from the Southern states, and as the Democratic doctrine of those states was that Congress could not constitutionally appropriate money from the National Treasury to be expended within the borders of a state for such a work as the Pacific railroad, it was impossible to get the votes of that party for that object, unless the expenditure of the money appropriated in the bill was confined to the territories.

When the test question came on, the amendment of the Senator from Illinois succeeded by a majority of two votes—Cass, Douglas, and Weller voting with the majority. This vote was fatal to the passage of the bill during that session.[62] These three Senators tried to resuscitate it, and labored hard for two or three days without success. It was well understood, in both Houses of Congress, that if the bill had passed the Senate as it had been matured before this amendment was offered excluding the use of money appropriated from being applied to the building of the road within the states, it would have been taken up in the House, where there was a decided majority in favor of the measure and where at that period of the session a simple majority could bring it before the House under the rules, and, under the previous questions, it would have passed through that body as sent to it from the Senate. Mr. Fillmore, the President, was known to be in favor of the measure and would have signed the bill, and it would have become a law. This fact in history is the more important because it was very doubtful whether the newly elected President, Mr. Pierce, would approve such a bill. There was a canvass made of the House, which made it apparent that the bill, as it had been matured in the Senate before this amendment had been engrafted into it, would have passed the House. Many of the friends of the measure were afraid to trust the new President and would have taken the bill just as it came from the Senate, although in some of its details it did not satisfy them, with the hope of future amendments necessary to secure the success of building the road. It was predicted in this important debate in the Senate that the construction of this great road would break up sectionalism, destroy the fanaticism of the North and South, East and West, and be an imperishable link to make the Union of the States perpetual. The failure of its passage at that time was caused by the votes of the members from the Southern states, a large majority of whom were opposed to any railroad bill. If that bill had become a law, there would have been no secession of states and no civil war.[63]

When the United States Government, during the Mexican War, took possession of California, it established a tariff, which was called the "war tariff," and collected duties on all the imports into the territory from foreign countries. This was an arbitrary act, a necessity of war, authorized by no other law. After the war ended, and California was ceded to the United States, this war tax continued, and was collected during the whole continuation of the *de facto* government and until the laws of the United States were extended over the State and a collector of customs was appointed under the law extending the revenue system to this State. The aggregate of duties thus collected amounted to about three millions of dollars. This money was appropriated to the support of the *de facto* government; and General Riley, the military governor, paid out of this fund the expenses of the state convention that formed the Constitution, [and] also [of the] aid [to the] emigrants who had been caught in the snowstorms of the winter of '48-49 and were in a destitute condition in the mountains, enabling them safely to reach California. These and other expenditures reduced the amount in hand, when the revenue laws of the United States were extended over California, to about $900,000. This amount the State of California claimed as due to the State, as her people had been taxed without representation and without the authority of any law of the United States. This claim was resisted in Congress, and successfully; but, in order to show some fairness to the State, the sum of $300,000 was appropriated to pay the expenses of the State from the time of its organization until it was admitted into the Union. This appropriation passed the Senate at two sessions of Congress but was rejected in the House. When the deficiency bill was under consideration in the Senate, on the 14th of February 1853, Mr. Gwin offered the following section to the bill:

> *And be it further enacted,* That of the monies collected in the ports now embraced within the limits of the State of California, as duties on foreign imports, the sum of

$300,000 be paid to the State of California, out of any monies in the Treasury not otherwise appropriated, to be applied to the expenses of the State government prior to the admission of California into the Union as a state.

It was for the first time resisted in the Senate, unless a proviso should be added that the sum named should be in full release of the United States from all further claims on the part of California upon this fund. This led to an elaborate debate. The following is a part of Mr. Gwin's remarks in this discussion:

The bill that passed the other day for the relief of General Riley provides for paying the expenses of the *de facto* government, the expenses of holding the constitutional convention, and also for the advances to the overland emigration of 1849. These three items of expenditure do not exceed $300,000, as was stated by the Senator from Maryland when he reported the bill—that is, $300,000 out of the $1,200,000, leaving between $800,000 and $900,000 of this civil fund unappropriated by Congress. It was supposed, when that bill passed, that an aggregate appropriation of $600,000 had been given, leaving at least one-half of the fund to go into the Treasury of the United States, which the State of California claims, and to which she asserts, and will assert, her right. Now, as the Senate has appropriated this sum upon two different occasions and sent it to the House to sleep, as most bills for the benefit of California do, I hope they will not object to passing it now. I offered an amendment to the bill which originated in the House for the relief of General Riley, to pay the whole fund to California. I considered it to be due to my State, to put her in the right position, to move this amendment every time the question of the civil fund comes before us. I have already stated that what the State may get from this civil fund has been set apart to pay the bonds issued for the debt we created in putting the State government into operation; and if we accept this sum, with the proviso that the State should give up all claim to that fund, you require us to commit a breach of faith to our creditors, who look to this claim as a part of the security for our debt.

The legislature of California has sent instructions to myself and my colleague, which were passed on the 18th of last March. They are in the following words:—

"*Resolved by the Senate and Assembly*, That we deeply regret that Congress has so long delayed in refunding to the State of California monies collected in her ports, and from the honest industry of her citizens, previous to her admission into the Federal Union.

"*Resolved,* That we consider the fund heretofore known as the 'Civil Fund of California,' to be the property of this State; and that any other appropriation of it by the general Government we hold to be unjust and ungenerous. Taxation without representation is a principle always repudiated by the American people.

"*Resolved,* That our senators be instructed, and our representatives requested to continue all honorable exertions to procure from Congress the recognition of our rights to the monies taken from us by the general Government, and an appropriation to that effect; and that we call upon our sister states to see that this act of justice is performed towards the youngest of the Republic.

"*Resolved,* That the governor be requested to present to our senators and representatives, each, a copy of the foregoing resolutions.

Signed, February 5, 1852: RICHARD P. HAMMOND
Speaker of Assembly
Signed, February 6, 1852: SAMUEL PURDY
President of Senate
Approved, February 6, 1852: JOHN McDOUGAL
Governor"

> I am not going at large into a discussion on this amendment. I know that talking will kill it; but I want it distinctly understood that the whole of these duties were collected without the authority of law. It was a mere military exaction. The merchants who were importing the goods were told that their ships would be sunk unless they paid the duties. They paid them under protest. The ships bringing provisions to feed the people were notified, when they attempted to go into the harbor, that if they did not pay these duties, although there was no law for their collection, they would be driven off, and the people had to revolt, starve, or pay the duties thus illegally exacted.[64]

The result of the discussion was that the Senate refused to pass this amendment to the bill, unless it was accompanied by a proviso that it should be considered as a release on the part of the State of California for her claim to this civil fund; and to this day the State has never received one dollar of that fund, and it stands as a just and valid claim against the United States for the sum of $900,000. Although this claim was urgently pressed at a number of sessions of Congress soon after the State was admitted, it seems to be forgotten now, and has not for years been brought to the attention of the Government of the United States. The money was covered in the United States Treasury, and is there yet.

On the 23d of December 1852, Mr. Mason of Virginia, chairman of the Senate Committee on Foreign Affairs, introduced the following resolution:

> *Resolved*, That the President of the United States communicate to the Senate, if in his opinion [it is] not incompatible with the public interest, copies of the "official notes received from the Ministers of France and England, inviting the Government of the United States to become a party with Great Britain and France, to a tripartite convention, in virtue of which the three Powers should severally and collectively disclaim, now and for the future, all intention to obtain possession of the Island of Cuba, and should bind themselves to discountenance all attempts to that effect on the part of every power or individual whatever"; and of the reply thereto on the part of this government, referred to in his annual message to the two Houses of Congress, on the 6th instant.

This led to a prolonged and elaborate debate, lasting throughout that entire day's session. There was at that period a powerful party in the Southern states in favor of annexing Cuba to the United States. There was also a strong sentiment in California in favor of annexing the Sandwich Islands. This statement is made by way of explanation of the following remarks of Mr. Gwin on the subject:

> Whether this question has been sprung upon the Senate, I neither know nor care; but this is certainly an unexpected debate. I have no doubt the Chairman of the Committee on Foreign Affairs did not intend to preclude us from an opportunity of delivering our views. When senators talk of individual states of the Confederacy [being] most interested in this question, I feel bound to say that I represent one more interested than any other, for we send, right in sight of the Island of Cuba, from two and a half to three millions of dollars in gold every two weeks; and I should like to know what state of the Confederacy is so much interested in the matter of our friendly relations with Spain?
>
> Again, we have questions of our own likely very soon to attract public attention. We may have a troublesome neighbor south of us, for it is said that the French have taken possession of Sonora, and intend to hold it as a province of the French Empire. My friend from Texas (Mr. [Thomas J.] Rusk) will no doubt be called out on a "buffalo

hunt" very soon, if that should turn out to be true. Texas and California will be apt to look into that question and think of the propriety of Sonora being annexed to the French Empire. Therefore this resolution opens a great question—the question of what is to be the future foreign policy of this Government. There are other islands beside Cuba in which the United States are interested. There is a set of islands called the Sandwich Islands, which we in California look upon as our summer residence. And when the Senator from Virginia talks about ripe fruit, it ought to be known that that fruit is ripe also, and ready to fall. This resolution, therefore, is very important; and I think, inasmuch as some gentlemen have commenced forming public sentiment, we ought to give others a chance, and let it go over till next week. We can make public sentiment now just as well as when the documents shall come in.[65]

Mr. Gwin was an earnest advocate of the annexation of the Sandwich Islands and the extension of our territory south. The Gadsden Treaty, as it was called, at a later period came before the Senate for ratification. He proposed that the boundary, instead of the one that was adopted in the treaty, should begin thirty miles south of Mazatlan and run across the continent to the Gulf of Mexico, striking the Gulf thirty miles south of the mouth of the Rio Grande (there are certain lakes there that make a fine harbor), and to pay Mexico twenty-five millions of dollars for accepting this line of boundary, instead of ten millions, as was proposed in the Gadsden Treaty, for the present boundary. This was in secret session of the Senate, and the debate therefore is not of record. After an animated discussion, Mr. Gwin's amendment was defeated, strange to say, by the votes of senators from the Southern states; and it is a historical fact that Mr. Jefferson Davis, then in the Senate, objected to the boundary between the two countries touching the Gulf of California at all. There was a beautiful small harbor near the mouth of the Colorado River that could have been made of great importance, if [it had been] within the limits of the United States, by the building of a breakwater; [for] at that point all the supplies of the Government for Arizona could have been landed. Mr. Davis' view was that foreign nations would say that a strong government was taking advantage of a weak one; that it would deprive Mexico of her land route to Lower California, a portion of her possessions. As if Mexico would ever march troops hundreds of miles round the Gulf, instead of taking them by sea, a much more direct and speedy route to the seat of population in Lower California. Mr. Gwin was so much dissatisfied with the boundary adopted by the Senate that he would not vote in favor of the treaty.[66] It is a noticeable fact in history—to show what great importance attached to Sonora as a mining country—that while Mr. Gwin was residing in Paris, during the American Civil War, he agreed, at the request of the French Emperor, to inaugurate a scheme of colonization in Sonora, and but for the downfall of the Imperial Government in Mexico, he no doubt would have succeeded.[67]

Mr. Gwin was also an earnest and constant friend of the policy of granting preemptions on the public lands to actual settlers and cultivators, and [was] also in favor of homesteads; and it has already been stated in a previous part of this narrative that in the session of 1850-51 he very nearly succeeded in passing a bill embodying those homestead and preemption principles. In the next Congress, the homestead bill was introduced as a separate measure. There was a great contest in the Senate, at the close of the second session of that Congress, as to which bill should have the precedence, and, on the 21st of February, Mr. Gwin made the following remarks in favor of taking up the homestead bill:

> I intend to vote for taking up the homestead bill this morning. It is the most important measure now before the Senate for the benefit of my constituents, upon which I have any hope of obtaining action. I not only intend to vote for taking up that bill, but I intend to give it preference to every other measure until it shall be disposed of, if I can do so by my vote. The homestead bill is not in the form in which I wish to vote for it; but I intend to vote against all amendments, in order to have something that will be of benefit to my constituents, giving them the right to the soil upon which they live. Therefore, as this is a House bill, and as I know that we can, by taking it up and acting upon it, secure its benefits to my constituents, I intend to vote to take it up and to give it the preference over all other questions; hoping at the same time that it will not be necessary to do so after today, but that it will be disposed of immediately.[68]

The subject of fortifying the harbor of San Francisco engaged the earnest attention of the Government soon after the treaty of peace between the United States and Mexico, and an able corps of engineers was sent to the Pacific Coast to prepare a system of fortifications. The Government had ceased passing appropriations for fortifications on the Atlantic Coast, merely appropriating a sufficient sum to prevent them from going into decay; and it was very difficult to inaugurate a system of fortifications for the Pacific Coast, unless it was made general to extend to the Atlantic Coast also. It was not until 1853 that the delegation from California succeeded in getting an appropriation for the defence of San Francisco, when $500,000 was appropriated for that purpose. Mr. Gwin made the following remarks in favor of this appropriation:

> Mr. President, I hope that that amendment will be adopted. I cannot see what use we have for an army, if it is not to defend the country; and I do not see what good the army can do in California, if you have no defenses there, in the harbor of San Francisco, to drive off an enemy who may come to attack it. We have no interior enemies that we are under any apprehension of, but in the harbor of San Francisco, which by this amendment it is proposed to fortify, there is not a single mounted gun to defend us from hostile attacks. We are shipping, by estimate, a hundred million of gold annually through it; and there are points on that harbor than which there cannot be found better sites in the world for fortifications. As it is now, a single ship of war can shut up the harbor, or enter it and levy contributions upon San Francisco and the whole country. The question is now presented whether you will fortify that coast and that harbor or not.
>
> After what occurred here within the last two or three days, it becomes a very serious question whether this Government will defend the Pacific possessions of the United States. It has been very clearly decided here that, for the present at least, we are to have no internal communication between that section of the Union and this. If we are to have no internal communication, I should like to know whether it is the determination of this Government to give us any defense at all against a foreign enemy? I hope the whole

> amendment will be adopted, but I shall ask for a separate vote at least upon the proposition for fortifying the harbor of San Francisco.[69]

It will be perceived from these remarks that the defeat of the *Pacific railroad bill* was still a source of great disappointment to Mr. Gwin, and immediately after he had secured the appropriation for the defense of San Francisco, he moved the following amendment to the Army appropriation bill:

> *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized, under the direction of the President of the United States, to employ such portion of the Corps of Topographical Engineers, and such other persons as he may deem advisable, to ascertain the most practicable and the most economical route for a railroad from the Mississippi River to the Pacific Ocean; and that the sum of $150,000 be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated, to defray the expense of such explorations and surveys.
>
> *And be it further enacted*, That the engineers and others employed in said explorations and surveys shall be organized in as many distinct corps as there are routes to be surveyed, and their several reports shall be laid before Congress on or before the first Monday in January 1854.
>
> *And be it further enacted*, That in making such explorations and surveys, the engineers and other persons employed under the authority of this act may be directed to act in concert with any engineers or other persons employed by any individual or individuals, association or associations, for the same general object; and the Secretary of War is hereby authorized and required to receive proposals from individuals or associations for the construction of a railroad between the valley of the Mississippi to the Pacific Ocean, and to lay the same before Congress at the next session.[70]

In moving the above amendment, Mr. Gwin made the following remarks:

> Mr. President, it is well known that I voted against this proposition when we had the Pacific railroad bill under consideration, and I am not at all in favor of it now as the right measure; but inasmuch as the establishment of this great national highway has all to be gone over again at the next session, I have determined to bring the subject of a reconnaissance to the notice of the Senate now. I give the honorable Senator from Pennsylvania (Mr. [Richard] Brodhead) the full credit for this proposition. It is his—at least two sections of it are. I have only added an additional section. I offer it with a great deal of doubt whether any good will result from it, because the very difficulty that met all propositions for establishing the terminus of this railroad on the Mississippi River may be brought so prominently before Congress by these explorations as to defeat any bill that will build this road. If any route is reported to this body as the best, those that may be rejected will always go against the one selected. Therefore I offer this amendment with a great deal of doubt and hesitancy whether it is proper to make any such exploration if we anticipate the getting of the road. I voted against the proposition before on this ground. I regret more than anything that has occurred during my lifetime that we could not pass at this session a bill to establish this great national highway, without resorting to any exploration of this description, which is so likely to bring the various sections of the country in opposition in regard to the proper location of the road. But I conceive it to be my duty to do the best that I can toward the establishment of this road. And inasmuch as a majority of the Senate, by disagreement as to details, have determined that we shall have no railroad bill during this session, I feel myself constrained to bring forward this proposition; and I do it with great distrust, under the belief that injury may result from it. I am not at all satisfied that we ever can get a *national railroad* on any particular route to be designated by Congress, because those sections of the

country that are rejected in the report that may be made to Congress will, by combining, prevent the establishment of any road.

Mr. Brodhead: Mr. President, this is a proposition which I submitted the other day as a substitute for the Pacific railroad bill. I then stated that it was in my judgment the only practicable measure which could be adopted at the present session. I am very glad that the honorable Senator from California, who resisted it at that time with so much vehemence, has come pretty nearly to the same conclusion to which I came at the commencement of the debate.

Mr. Gwin: Not at all. I am against it as a substitute for a railroad bill.

Mr. Brodhead: If the honorable Senator is against it at this time, he should not have presented it to the Senate. I intended myself to offer it as an amendment.

Mr. Gwin: Mr. President, a drowning man will catch at straws. We need in my part of the country a connection by railroad with the Atlantic Coast. I do not want to take the credit for this proposition. I shall never ask any of the credit for offering it; but I am required, coming from the section of the Union whence I do come, to resort to any expedient to establish this connection, although I do not think this is the proper plan.

Mr. Brodhead: I am not complaining of my honorable friend from California; I am only expressing the hope that, now that the amendment has his support, it will be adopted. It is the only practicable mode—it is the only sensible mode, permit me to say, to commence the building and construction of a railroad from the Mississippi Valley to the Pacific Ocean, and I therefore hope it may be adopted. But I beg to suggest to my honorable friend from California a modification of it: to appropriate $200,000 instead of $150,000 for the explorations and surveys. I think that sum may be required.

Mr. Gwin: I agree to that.[71]

The amendment was adopted, and this laid the foundation of the magnificent system of surveys across the continent of America, which brought about the exact result which Mr. Gwin had predicted, that no one route could be agreed upon. The first bill that was acted on in either house of Congress passed the Senate in 1855; but the bill that passed in 1861 provided for the construction of three routes, the northern, central, and southern, and had the most power in the Senate and House. It passed by a large majority in the Senate. There was an equally large majority in its favor in the House of Representatives, but the majority of that body determined to defeat its passage then, in order to give the credit of inaugurating this great system of transcontinental railroads to the incoming administration of Mr. Lincoln. Returning from this digression: This great measure failed to pass the 32d Congress. Yet that Congress did not adjourn without passing laws of great importance to the State of California and the Pacific Coast. Large appropriations were made to execute the laws which that and the preceding Congress had passed, not only for fortifications, as has been stated, but for the navy yard, the survey of the public land, the building of numerous lighthouses, and the rapid extension of the Coast Survey. It may be said that no Congress ever did more for any one state than did this Congress for California.

(To be continued)

NOTES

44. The question of land titles led Governor Mason to direct Captain Henry W. Halleck to collect and examine the old archives of the territory and make a report, which was forwarded to Washington on April 13, 1849. This report, of which Gwin's quotation is only a part, will be found in full in *House Ex. Doc.* 17, 31st Cong., 1st sess., pp. 118-82. In 1849, Secretary of the Interior Ewing directed William Carey Jones to visit Mexico and California, and to make a report on the land question. His report was submitted to Congress on March 9, 1850, and may be found in *Senate Ex. Doc.* 18, 31st Cong., 1st sess. It was also published as Jones, *Report on the Subject of Land Titles in California* (Washington, 1850). Just why Gwin should mention the Halleck report and make no mention of the one by Jones is not clear.

45. This grant was made by Governor Rivera y Moncada in November 1775. Bancroft, *op. cit.*, I, 608.

46. The bill which had been introduced by Gwin, and which he here states passed by an immense majority in the Senate, was a substitute for Senator Frémont's unsupported measure introduced soon after the senators were sworn into office in September 1850. Gwin's bill introduced in December 1850, passed the Senate by a good majority on February 6, 1851, secured the approval of the House without discussion, and became law on March 3, 1851.

It has always been contended that Frémont's bill was prejudicial to the interest of the Government and the American settlers and favorable to those who possessed grants, while Gwin's was favorable to the American settlers.

While at first California accepted the law in good spirit as a necessary measure for the advancement of the public welfare, dissatisfaction arose later, which was directed chiefly at the Commissioners for their administration of the law. It was but natural they should be accorded blame or praise for their work depending on whether the holders of grants or the settlers benefited from their decisions. The press was quite vocal in expressing the divided opinion. The San Francisco *Herald*, February 19, 1851, expressed what was a forecast of critical opinion when it said, "This general inquest into titles of the country by the Federal Government cannot but be odious to the old residents as well as to those who claim under them." The *Alta California*, May 31, 1852, suggested that the dissatisfaction was the result of the administration of the law rather than the law itself. However, the *Alta* later held that cases were decided "upon the broadest principles of equity, the true spirit of the treaty." For this contention and other comments, see the *Alta*, August 15, 1852, December 22, 29, 30, 1852. Also, the Sacramento *Union*, August 12, 1852, argued in defense of the Commission's work.

As a result of the criticism of the Commission, Governor Bigler recommended to the legislature that it memorialize Congress to repeal the act of 1851, and provide a method of deciding claims which would more correctly follow legal procedure. For this he was sharply criticized by the *Alta*, January 7, 26, 1853, and by the *Herald*, January 6, 1853, on the ground that his plan would cause delay and crowd the District Court. A commission, appointed by President Pierce, was also rather generally regarded as fair in its dealings, although there was considerable public criticism. For reports of cases and comment see *Californian*, July 13, 1853; *Alta California*, July 11, December 14, 1853, January 18, 24, 1854, July 20, 1855, June 8, 11, 22-27, 1855; *Herald*, June 8, 11, 17, 1855; and the Sacramento *Union*, June 16, 29, August 3, 6, 10, 1855. A full discussion of these matters, with a list of cases decided, may be found in Bancroft, *op. cit.*, VI, 536-81. Also, see Joseph W. Ellison, *California and the Nation, 1850-1869* (Berkeley: University of California Press, 1927), pp. 7-24, and McPherson, *op. cit.*

47. *Congressional Globe*, 31st Cong., 2d sess., pp. 1129, 2033, and 2037. For some indication of public sentiment in California with reference to this measure, see *Alta California*, May 31, October 23, November 3, December 30, 1852, January 12, May 13, 1853; San Francisco *Herald*, May 25, May 31, October 10, 1852.

48. This bill was introduced December 18, 1850. For discussion and information on this bill see *Congressional Globe*, 31st Cong., 2d sess., pp. 77-78; *Statutes-at-Large*, IX, 504-5.

49. McPherson, *op. cit.*, adequately covers, with full documentation, the establishment of the branch mint in San Francisco.

50. Gwin first introduced a bill on the land question December 31, 1850. This provided "for the survey of the public lands and the granting of donation privileges." *Congressional Globe*, 31st Cong., 2d sess., p. 153.

51. The general appropriation measure of March 3, 1851, carried an additional sum of twenty-five thousand dollars for the survey of public lands, for private claims, and compensation for a surveyor general for two years. *Ibid.*, p. 1770; *Statutes-at-Large*, IX, 670.

52. In elaboration of the information given here by Gwin, see McPherson, *op. cit.*, p. 161; *Statutes-at-Large*, IX, 540, 610; Bancroft, *op. cit.*, VI, 634. It will be seen that one hundred thousand dollars was appropriated by the next Congress and fifty-six thousand dollars by each of the two succeeding Congresses.

53. While Gwin does not here take credit for the development of the Federal judicial organization in California, it was he who introduced the bills and carried through the measures for such development. His importance in this connection may be seen by reference to McPherson, *op. cit.*

54. Gwin and Frémont jointly secured the law establishing six original ports of entry: San Diego, Monterey, San Francisco, Benicia, Stockton, and Sacramento. *Congressional Globe*, 31st Cong., 1st sess., Appendix, p. 1369. In 1854, Gwin succeeded in having San Pedro made a port of entry for the collection district comprising Los Angeles, Santa Barbara, and San Bernardino counties. *Statutes-at-Large*, X, 345. Later it was seen that there should be but one customhouse and that at San Francisco; and the proposal by the Secretary of the Treasury to abolish the other districts received Gwin's approval. *Congressional Globe*, 35th Cong., 1st sess., p. 2899. However, the law carrying this into effect did not pass until 1862. *Statutes-at-Large*, XII, 411.

55. It is surprising that Gwin makes but this brief reference to his services in connection with the Indian question in California. Along with Frémont he was asked for information about the Indians of California, and Frémont sponsored the bill for the appointment of three Indian agents to make treaties with the California natives. Soon after the first appropriation of twenty-five thousand dollars to enable the President to negotiate treaties, Gwin backed an amendment to another measure to add another twenty-five thousand dollars. Later he disapproved of the work of the Indian Commissioners in making eighteen treaties, and was active in effecting their rejection. It was Gwin who proposed the appointment of a superintendent of Indian affairs for California, an office taken by Edward F. Beale. He supported the reservation system in California, and on one occasion declared, "It is better to feed the Indians than to fight them," although his policy was not consistent on this point. He advocated the payment by the Federal Government of California's debt incurred in fighting the Indians. See McPherson, *op. cit.*, pp. 152-62. For a general treatment of the Federal Indian policy in California, William Henry Ellison, "Federal Indian Policy in California," *Mississippi Valley Historical Review*, IX (June 1922), pp. 37-67.

56. The part Gwin played in the adjudication of land claims in California is carefully stated in McPherson, *op. cit.*, pp. 139-43.

57. While not going into detail as to Gwin's services on the committee to try the "Hounds," both Bancroft, in his *Popular Tribunals* (San Francisco, 1887), I, 99, and Mary Floyd Williams, in her *History of the San Francisco Committee of Vigilance of 1851* (Berkeley, 1919), pp. 107, 130-31, mention Gwin, and both appear to be aware that political prominence was given Gwin by this relationship.

58. Gwin had only second hand acquaintance with these events because of his absence from the State in the performance of his senatorial duties. Material on the vigilance committees is voluminous both in newspapers of the times and in popular works and histories. Good summaries will be found in Bancroft, *Hist. Calif.*, VI, 740-55, and a more extensive treatment in his *Popular Tribunals*. Williams, *op. cit.*, presents a full and careful study of the work of the committee of 1851. Additional valuable original material will be found in Porter Garnett's "Papers of San Francisco Committee of Vigilance of 1851," in *Publications of the Academy of Pacific Coast History*, I, 121-39; II, 285-353.

59. This bill was introduced by Gwin on January 6, 1860. The Senate passed the bill with a provision for an annual subsidy of $50,000 for ten years. An amendment in the House of Representatives reduced this amount to $40,000. The measure became law on June 16, 1860. McPherson, *op. cit.*, pp. 208-9.

60. *Ibid.*, pp. 177-80.

61. See *Congressional Globe*, 31st Cong., 2d sess., pp. 77-78; *Statutes-at-Large*, IX, 504-9.

62. See McPherson, *op. cit.*, pp. 213-19, where the subject is discussed and full documentation given.

63. There is no doubt that transportation development was anti-sectional, but Gwin's statement of opinion here must not be regarded as a scientific observation.

64. Although Gwin here quotes himself as saying that he is "not going at large into a discussion on this amendment," reference to the *Congressional Globe* shows that what he has included in his *Memoirs* constitutes but a small part of an extended speech. See *Congressional Globe*, 32d Cong., 2d sess., pp. 607 ff.

65. See *Congressional Globe*, 32d Cong., 2d sess., *Appendix*, pp. 100, 130, 131-33. For discussion of Gwin's interest in Cuba and the Hawaiian Islands, with references to authorities, see McPherson, *op. cit.*, pp. 282-83.

66. *Ibid.*, pp. 278-81.

67. See "A Threatened Invasion of California," in this QUARTERLY, XIII (March 1934), pp. 38-42.

68. See *Congressional Globe*, 32d Cong., 2d sess., p. 740.

69. *Ibid.*, p. 797.

70. *Ibid.*, p. 798-99.

71. See McPherson, *op. cit.*, p. 178 and footnote references to authorities.

Recent Californiana

A Check List of Publications Relating to California

BOOKS AND PAMPHLETS

Chinard, Gilbert

Projet d'Association agricole pour la Californie. [Reprinted from the *Bulletin de l'Institut Français de Washington*, No. 12, December 1939] [ii] + 22 pp.

Denhardt, Robert M.

The Role of the Horse in the Social History of Early California. [Reprinted from *Agricultural History*, XIV (January 1940)], pp. 13-22.

Fisher, Anne B.

Cathedral in the Sun. New York: Carlyle House, 1940. viii + 408 pp.

A novel relating to life at Mission San Carlos Borromeo, Carmel, from 1818 to 1882.

Freeman, Leslie J.

Historic San Leandro, California; "History of the City of the Dons." San Leandro: San Leandro News, 1940. Paper wrappers, 44 pp., ill. 50 cents.

Garner, Bess Adams, and Post, Miriam Colcord

The Story of the Adobe de Palomares in Pomona, California. Claremont, California: The Saunders Press, 1940. Paper wrappers, 28 pp., ill. 35 cents.

McGlashan, C. F.

History of the Donner Party. With Foreword, Notes, and a Bibliography by George H. Hinkle and Bliss McGlashan Hinkle. Stanford University, California: Stanford University Press [1940]. [xxx] + 261 + xxxi-lv pp., ill. $3.00.

This is a reproduction by photolithography of the second (1881) edition of this well-known work, with the addition of valuable material in the foreword, notes and bibliography.

Marquis, Neeta

Immanuel and the Fifty Years 1888-1938. Los Angeles: Immanuel Presbyterian Church, 1938. [v] + 75 pp., ill.

A history of the Immanuel Presbyterian Church in Los Angeles.

U. S. Work Projects Administration

San Francisco Theatre Research. Edited by Lawrence Estavan. Vol. XI, 1940. Monograph XXII, Edwin Forrest. Monograph XXIII, Catherine Sinclair. [v] + 140 + [3] pp., ill. [Mimeographed.]

——San Francisco Theatre Research. Edited by Lawrence Estavan. Vol. XV, Part 1. Monograph XXVII, Theatre Buildings. [xvi] + xxvii + 273 + [1] pp., ill. [Mimeographed.]

——History of Music in San Francisco Series. Edited by Cornel Lengyel. Fifty Local Prodigies. Vol. V, 1940. [vi] + xii + 203 + [1] pp., ill. [Mimeographed.]

——History of San Francisco Journalism. Vol. IV, 1940. Emerson L. Daggett, Supervisor. Trends in Size, Circulation, News and Advertising in San Francisco Journalism. 1870-1938. [iii] + 81 pp. [Mimeographed.]

——Archives of California Folk Music. Sidney H. Robertson, Supervisor. Check List of California Songs. Part One. Texts in Print. [i] + 160 pp. [Mimeographed.]

ARTICLES IN PERIODICALS

Altrocchi, Julia Cooley

Quest for Pioneers. In *The Catholic World*, Vol. CLI, No. 901 (April 1940), pp. 24-30.

Ames, George Walcott, Jr.

Whirling Rawhide. In *Westways*, Vol. XXXII, No. 5 (May 1940), pp. 18-19, ill.

Bayless, Reverend Ralph W.

The Pony Express Rider and His Bible. In *Bible Society Record*, Vol. LXXXIII, No. 2 (February 1938), pp. 31-33.

Cody, Bertha Parker

California Indian Baby Cradles. In *The Masterkey*, Vol. XIV, No. 3 (May 1940), pp. 89-96, ill.

Giffen, Guy J. and Helen S.

Tracing Frémont's Route with the California Battalion from San Juan Bautista to Los Angeles, November, 1846, to January, 1847. In *The Quarterly*, Historical Society of Southern California, Vol. XXII, No. 1 (March 1940), pp. 5-29, ill.

Haraszthy, Agoston

Documents. Haraszthy's Wisconsin Experience. In *Wisconsin Magazine of History*, Vol. XXIII, No. 2 (December 1933), pp. 182-206, ill. [The article comprises Chapters X-XII of his *Travels in the United States of America* (Pest, 1844), I.]

Colonel Haraszthy was later a prominent vineyardist in Sonoma County, California.

Knight, Dorse P.

Great River of the Great Valley [the Sacramento]. In *California History Nugget*, Vol. VII, No. 5 (February 1940), pp. 144-50, ill.

Lampson, Robin

The Man Who Gave the Golden Spike. In *California Monthly* (March 1940), pp. 17-19, 46-47, ill.

Lane, Eric

William Mulholland, Bringer of Water. In *California History Nugget*, Vol. VII, No. 5 (February 1940), pp. 138-43, ill.

McCarthy, John Russell

The "Golden Apple" Goes West. In *California History Nugget*, Vol. VII, No. 5 (February 1940), pp. 131-37, ill.

O'Neill, Capt. R. E.

Harrowing Ordeal of Captain Doty's Jayhawkers in the Wastes of Death Valley. In *Newsletter and Wasp*, Vol. LXXXIV, No. 14 (April 5, 1940), pp. 12-13, and No. 15 (April 12, 1940), pp. 12, 19, ill.

Pacific Rural Press

The First California Tractor. In Vol. CXXXIX, No. 6 (March 23, 1940), p. 193, ill.

Parker, Robert J.

The Great Potato Speculation at Yerba Buena, in 1843. In *The Quarterly*, Historical Society of Southern California, Vol. XXII, No. 1 (March 1940), pp. 30-32.

Solomons, Theodore S.

The Beginnings of the John Muir Trail. In *Sierra Club Bulletin*, Vol. XXV, No. 1 (February 1940), pp. 28-40.

Southern Pacific Bulletin

Who Gave the Golden Spike? In Vol. 24, No. 5 (May 1940), p. 6, ill.

Watkins, Frances E.

Indian Potters and Basket Makers of Southern California. In *California History Nugget*, Vol. VII, No. 5 (February 1940), pp. 151-57, ill.

News of the Society

Meetings of the Society

The Society held a luncheon meeting at the Hotel Sir Francis Drake on Tuesday, March 19, 1940. The speaker was Mrs. Elizabeth Gray Potter, a member of the Society, former Librarian of Mills College, and author of *The San Francisco Skyline*. Her subject was "Personalities behind San Francisco's Street Names."

Mrs. Potter gave a series of characterizations of soldiers, governors, early settlers and priests whose names have been given to San Francisco streets. As she chose to proceed in chronological sequence, there was not time to make more than a reference to the American Pioneer era. This will make the subject of another interesting talk at some later date. In addition to the personal names, some of the natural objects which gave Spanish names to streets were noted. Comment on official action by the Board of Supervisors in honoring some of the personalities was presented, as well as comment at times on lack of action. It was an interesting approach to the history of San Francisco.

There were sixty-seven members and guests present.

On Tuesday, April 16, 1940, at a luncheon meeting of the Society, held at the Sir Francis Drake Hotel, Mr. John D. Galloway, a member of the Society and well-known consulting engineer, addressed the Society on "Some Engineering Works on the Comstock."

Mr. Galloway, who went to Virginia City as a child, told of viewing the great fire which destroyed much of it as he sat watching the family possessions piled on the mountain side. This introduced a description of the position of the city and the obstacles to its easy approach. He then reviewed the efforts to supply the great operations carried on there with timber, water, and heavy machinery. He described timber fluming methods, the building of the water supply and the construction of the Virginia and Truckee Railroad. He paid proper tribute to the late Hermann Schussler for his design and methods of construction of the pipe line which carried the water across the Carson Valley and up the slopes of Mt. Davidson. He also elucidated the reasons for the location of the line of the Virginia and Truckee Railroad. He closed by reading Joseph T. Goodman's poem, "Virginia City."

There were sixty members and guests present.

Dedicated to honoring Dr. Herbert Eugene Bolton, Sather Professor of History and Director of the Bancroft Library at the University of California, who is about to retire, the Society held its May luncheon at the Sir

Francis Drake Hotel on Tuesday, the 21st, 1940. The speaker was Mr. William G. Paden, Superintendent of Schools of Alameda and one of Dr. Bolton's early students. His subject was "The Contribution of Dr. Herbert E. Bolton to the Study of the History of the West."

Mr. Paden reviewed Dr. Bolton's early education and the steps that led to his being called to the University of Texas to teach in the History Department. It was there that he really began his career as a teacher of the history of the West. He immediately began his research among the archives of Mexico, which he continued whenever he could get there. His fame grew and he was called to Stanford University, and then to the University of California.

Mr. Paden gave an interesting picture of work in the field with Dr. Bolton as routes and camp sites of early explorers were identified on the ground. He then showed how the study of the West had grown to include the study of the Americas. Finally, he mentioned the work of a number of Dr. Bolton's distinguished students in various phases of this inclusive subject.

Prior to the address by Mr. Paden, Robert Gordon Sproul, President of the University of California, presented to Dr. Bolton, as Director of the Bancroft Library, the original manuscript of Venegas' *Noticia de la California* which had been acquired through the generosity of friends of the University under the guidance of Mr. J. F. Shuman.

Dr. Bolton responded, thanking Dr. Paden and the Society and then telling something of the negotiations for the acquisition of the Venegas manuscript.

There were eighty members and guests present.

Anson S. Blake

New Members

Active

NAME	ADDRESS	PROPOSED BY
Bruning, Harry F.	San Francisco	Mr. George L. Harding
Carter, John D.	Berkeley, Calif.	Prof. Frederic L. Paxson
Chamberlain, Selah, Jr.	San Francisco	Mr. Sherman Chickering
Druhe, Rudolph C.	San Francisco	Mr. Fred J. Bowlen
Goodman, Louis E.	San Francisco	Mr. Warren R. Howell
Lindgren, Mrs. Harry M.	Eagle Rock, Calif.	Miss Dorothy H. Huggins
McCracken, Isabel, Ph.D.	San Francisco	Miss Dorothy H. Huggins
Mittau, Franklin	San Francisco	Mr. E. A. Wiltsee
Moores, W. G.	Angels Camp, Calif.	Mr. D. Fricot
O'Brien, C. Bickford	Berkeley	Prof. Frederic L. Paxson
Peers, Miss Susie	San Francisco	Miss Dorothy H. Huggins
Plath, Dr. Harry W.	Oakland	Mr. George L. Harding
San Mateo County Library	Redwood City	Miss Stella Huntington
Shumway, Miss Anna	San Francisco	Capt. R. E. O'Neill
Smith, Judge J. A.	San Andreas, Calif.	Mr. D. Fricot
White, Walter H.	San Francisco	Mr. Anson S. Blake

Gifts Received by the Society

March 1, 1940, through May 15, 1940

BOOKS AND PAMPHLETS

From LIEUT. HARRY W. ABRAHAMS, U.S.N.R.—Worcester, J. E., *An Elementary Dictionary for Common Schools*, Boston, 1847 [used in Identical Bar, San Francisco, in early fifties].

From MRS. RUDOLPH ALTROCCHI—*The Catholic World*, Vol. CLI, April 1940, containing "Quest for Pioneers," by Julia Cooley Altrocchi.

From MR. ALBERT M. BENDER—Jordan, David Starr, *The Blood of the Nation*, Boston, 1903; *idem, The Call of the Nation*, Boston, 1910; *idem, The Call of the Twentieth Century*, Boston, 1903; *idem, The Fate of Ichiodorum*, N. Y., 1909; *idem, The Heredity of Richard Roe*, Boston, [c. 1911]; *idem, The Human Harvest*, Boston, 1907; *idem, Life's Enthusiasms*, Boston, 1906; *idem, Matka and Kotik*, S. F., 1897; *idem, The Philosophy of Despair*, S. F., 1902; *idem, The Philosophy of Hope*, Boston, [c. 1907]; *idem, The Story of a Good Woman, Jane Lathrop Stanford*, Boston, 1912; *idem, The Story of the Innumerable Company and Other Sketches*, S. F., 1896; *idem, The Voice of the Scholar*, S. F., 1903; *idem, The Wandering Host*, Boston, 1904; *Nouveau Formulaire de Prières*, Lille, 1856 [formerly owned by the Bluxome family].

From BINFORDS & MORT—Sheldon, Henry D., *History of University of Oregon*, Portland, Ore.: Binfords & Mort, c. 1940.

From MR. FRED J. BOWLEN—Meyer, G. H., et al., compilers and eds., *Municipal Blue Book of San Francisco*, 1915.

From CALIFORNIA STATE BOARD OF EDUCATION—*California History Nugget*, Vol. V, Nos. 1, 2, 3, Oct., Nov., Dec., 1937; Vol. VI, Nos, 1, 2, 3, 4, 5, Oct., Nov., Dec., 1938, Jan., Feb., 1939; Vol. VII, Nos. 3, 4, Dec., 1939, Jan., 1940.

From PROF. GILBERT CHINARD—Chinard, Gilbert, ed., *Projet d'Association agricole pour le Californie 1851*. Reprinted from the *Bulletin de L'Institut Français de Washington*, No. 12, Dec. 1939.

From MRS. EDMUND D. COBLENTZ—Stewart, George R., Jr., *Ordeal by Hunger*, N. Y.: Henry Holt & Co., 1936.

From MR. ROBERT M. DENHARDT—Denhardt, Robert M., *The Role of the Horse in the Social History of Early California*, reprinted from *Agricultural History*, Vol. XIV (January 1940).

From MRS. WALTER K. FISHER—Fisher, Anne B., *Cathedral in the Sun*, N. Y.: Carlyle House, 1940.

From MR. LESLIE J. FREEMAN—Freeman, Leslie J., *Historic San Leandro* [San Leandro, Calif.]: San Leandro News, 1940.

From HEBREW UNION COLLEGE LIBRARY—Brotherton, Rev. T. W., *Address by*, before Church Union, March 11, 1872, S. F. [1872].

From MISS FLORENCE R. KEENE—Jordan, David Starr, *Eric's Book of Beasts*, S. F.: Paul Elder [c. 1912].

From MR. M. HALL McALLISTER—College of St. Augustine, Benicia, *Official Register*, Oakland, 1889.

From MISS FRANCES MOLERA—*Master Plan of the City of Monterey Submitted by the Planning Commission in Collaboration with Mr. Emerson Knight, May 24, 1939*.

From SAN DIEGO HISTORICAL SOCIETY—*American Mercantile Union Reference Book. City and County of San Francisco and Vicinity* [1886?]

From SAUNDERS PRESS—Garner, Bess Adams, and Post, Miriam Colcord, *The*

Story of the Adobe de Palomares in Pomona, California, Claremont, Calif.: Saunders .. Press, 1940.

From MR. THOMAS W. STREETER—Carrillo, C. A., *Exposicion dirigida á la Camara de Diputados del Congreso de la Union . . . Sobre arreglo y administracion del Fondo Piadoso,* Mexico: Alejandro Valdés, 1831. [An extremely rare Mexican imprint.]

From U. S. WORK PROJECTS ADMINISTRATION—American Imprints Inventory, Historical Records Survey, No. 1, *A Preliminary Check List of Missouri Imprints 1808-1850,* Washington, D. C., 1937; *idem,* No. 3, *A Check List of Arizona Imprints 1860-1890,* Chicago, 1938; *idem,* No. 7, *A Check List of Nevada Imprints, 1859-1890,* Chicago, 1938; *idem,* No. 7, *A Check List of Nevada Imprints, 1859-1890,* Chicago, 1939; Archive of California Folk Music, *Check List of California Songs,* Part I, *Texts in Print,* Berkeley: University of California Dept. of Music, under Auspices of W.P.A., 1940; Northern California Historical Records Survey Project, *A Directory of Churches and Religious Organizations in Alameda County Calif.,* S. F., 1940;History of Journalism in San Francisco, Vol. IV, *Trends in San Francisco Journalism,* S. F., 1940; History of Music in San Francisco Series, Vol. IV, *Celebrities in El Dorado, 1850-1906,* S. F., 1940; *idem,* Vol. V, *Fifty Local Prodigies 1906-1940,* S. F., 1940; Inventory of Federal Archives in the States, Series II, *Federal Judiciary,* No. 5, California, S. F.: The Survey of Federal Archives, 1939; San Francisco Theatre Research, Vol. XI, Monographs XXII *Edwin Forrest;* XXIII *Catherine Sinclair,* S. F., 1940; *idem* Vol. XV, Part 1, *Theatre Buildings,* S. F., 1940. [All the foregoing are mimeographed.]

From MR. HENRY R. WAGNER—Behden, Carl, *Californien von Einst und Jetzt,* Wein, 1880; California Legislature, Assembly, Sess. 1853, Doc. No. 45, *Report of Committee on Claims; idem,* Sess. 1856, *Report of the Committee on Federal Relations on the Pacific Railroad;* California Legislature, Senate, Sess. 1850, *Report of Mr. Green on Mines & Foreign Miners,* 1850; *idem, Report Relative to State Assayer,* 1850; Carver, Thomas Nixon, *The Religion Worth Having,* L. A.: Ward Ritchie Press, 1940; Fuller, George W., *A History of the Pacific Northwest,* N. Y.: Alfred A. Knopf, 1931; Graves, J. A., *Out of Doors; California and Oregon,* L. A., 1912; Kent, William, *Reminiscences of Outdoor Life,* S. F.: A. M. Robertson, 1929; Marquis, Neeta, *Immanuel and the Fifty Years 1888-1938,* L. A.: Immanuel Presbyterian Church, 1938; Richthofen, Ferdinand, *Die Metall-Produktion Californiens und der Angrenzenden Länder,* Gotha, 1864; [San Francisco], *Proceedings of the Town Council of San Francisco, Upper California,* S. F.: Alta California Press, 1849; Steinbeck, John, *The Grapes of Wrath,* N. Y.: The Viking Press, c. 1939; Stuart, H. A., *The Vesper Bell,* S. F., 1869; and thirteen pamphlets relating to the Pious fund.

From MR. HARRY S. WANZER—*The Romance of California* [Sacramento: Sacramento Chamber of Commerce, 1938].

PICTURES AND MAPS

From LIEUT. HARRY W. ABRAHAMS, U.S.N.R.—18 photographs of San Francisco, showing damage of fire and earthquake of 1906.

From MR. ALBERT M. BENDER—Panorama of San Francisco before 1870 (large framed photograph).

From MR. FRED J. BOWLEN—Framed picture (photographic copies) of Chief Engineer and Chief Officers of the San Francisco Fire Department, commemorating the 90th anniversary of the Department, July 1, 1940; framed picture (photographic copies) of the Chief Engineers of the San Francisco Fire Department (past and present).

From PROF. GILBERT CHINARD—Photograph (copy) of Ernest de Massey.

From MR. E. S. CIPRICO, JR.—6 bird's-eye views of ruins of San Francisco, 1906 (supplements of S. F. *Examiner*); 1 bird's-eye view of burning of San Francisco.

From MAJOR ROBERT S. FERGUSON—Magazine illustration showing San Francisco in 1938 as compared with 1906; pictorial letter sheet, "Panorama of San Francisco," 1853.

From MR. H. C. HOLMES—Large framed photograph of the San Francisco Baseball Club, 1875.

From MR. AND MRS. F. P. HOWARD—Photograph of John Brayles.

From MR. HARRY G. OWEN—Photograph (postcard) of Tetrazzini's concert at Lotta's Fountain, Christmas Eve, 1911.

From MR. H. W. RHODES—2 photographs of ruins of old Spanish Fort (Castillo de San Joaquin) at Fort Point.

From MISS LOTTIE G. WOODS—Oil painting of Adolph Sutro in Sutro Gardens, by A. Cortes.

MISCELLANEOUS

From MR. WALTER C. ALLEN—Four hand-made slip cases for rare pamphlets.

From MAJOR ROBERT S. FERGUSON—Newspaper: *Call-Chronicle-Examiner*, April 19, 1906.

From MR. AND MRS. F. P. HOWARD—Photostat of a letter dated July 25, 1908, from John Brayles, Kendall, Wash., in reference to a block of wood from a hemlock tree, on which the name "Gilhinly Killan" had been cut, apparently more than 150 years before.

From COMMANDER JOHN E. POND, U.S.N.—Calling card given by Emperor Norton to Judge John McHenry.

From HON. THOMAS F. PRENDERGAST—Material concerning "The Late Watch."

From MR. H. W. RHODES—Floor tile from the old Spanish Fort (Castillo de San Joaquin) built at Fort Point in San Francisco in 1794.

From MR. E. A. WILTSEE—Button such as Pony Express riders wore on their coats, made from original mold.

In Memoriam

ROSALIE YOUNGER ANDREWS

1869-1940

In San Jose, on March 12, 1940, at the family home, 1008 North 4th Street, Rosalie Younger Andrews died, after a long illness, at the age of 71 years.

Mrs. Andrews, the wife of Frank H. Andrews, was the youngest of twenty-two children and the daughter of Coleman Younger, a pioneer of 1851, who arrived in California by way of the Isthmus. After remaining here a few months he returned to "The States" for his wife, Augusta, reaching California again with her in 1853 accompanied by a daughter. The family settled in San Jose. Their residence on Alviso Road, known as "Forest Home," was part of the original pueblo lands, and there the traditional hospitality of the Spanish period again held sway. It is recounted that the immense kitchen stove would roast a whole pig and two 25-pound turkeys at the same time, and that the Younger family seldom sat at table without at least a half dozen guests.

Mrs. Andrews was born and lived her entire life in San Jose except for a few years spent in Berkeley. Her father was a founder of the Society of California Pioneers of Santa Clara County, and, as a child of 3, Rosalie Younger was elected an honorary member of that society. Her interest in it never waned, and it was greatly through her efforts that the Pioneers purchased their home, Pioneer Hall, at 148 North 3rd Street, San Jose, where many of the exhibits were her gifts. From 1932 to 1937 she served as president of the society, and hence it was but fitting that she was buried from San Jose's Pioneer Hall—the first person to be so honored.

A. T. LEONARD, JR.

Marginalia

Lois Foster Rodecape is the wife of DeForest A. Rodecape of the University Library staff, University of California, Berkeley. Born in Chicago, Illinois, and a graduate of San Francisco Teachers College, Mrs. Rodecape has worked for several years with such amateur theatrical organizations as the Players' Guild and the Children's Theatre, San Francisco; the Golden Bough Theatre, Carmel; and the Betty Horst Modern Dance Group. She has written and directed numerous women's club pageants and plays, and, from 1935 to 1937, was research supervisor of the Federal Theatre Project, San Francisco. She has contributed to various magazines and wrote, during the period of her connection with the Federal Theatre Project, *Annals of the San Francisco Stage, 1850-1880*. She is now working on a study of "Tom Maguire, Napoleon of the Stage."

Edgar Myron Kahn, a graduate of Stanford University, is associated with the brokerage firm of J. Barth & Co., San Francisco. His manuscript on San Francisco during the period of Hallidie's activities, entitled "Cable Car Days," will be published in the near future by Stanford University Press.

Among our new members are noted the following:

Mr. Rudolph C. Druhe is engaged in the hospital supply and surgical instrument business in San Francisco. His father, John Herman Druhe, came to California by way of Panama and, after a few months in the mines on the Yuba River, settled in San Francisco and became one of the founders of St. Paul's Evangelical Lutheran Church. Mr. Druhe still retains his father's certificate of membership, dated July 30, 1856, and signed by Mayor Van Ness, in Manhattan Engine Company No. 2, San Francisco Volunteer Fire Department.

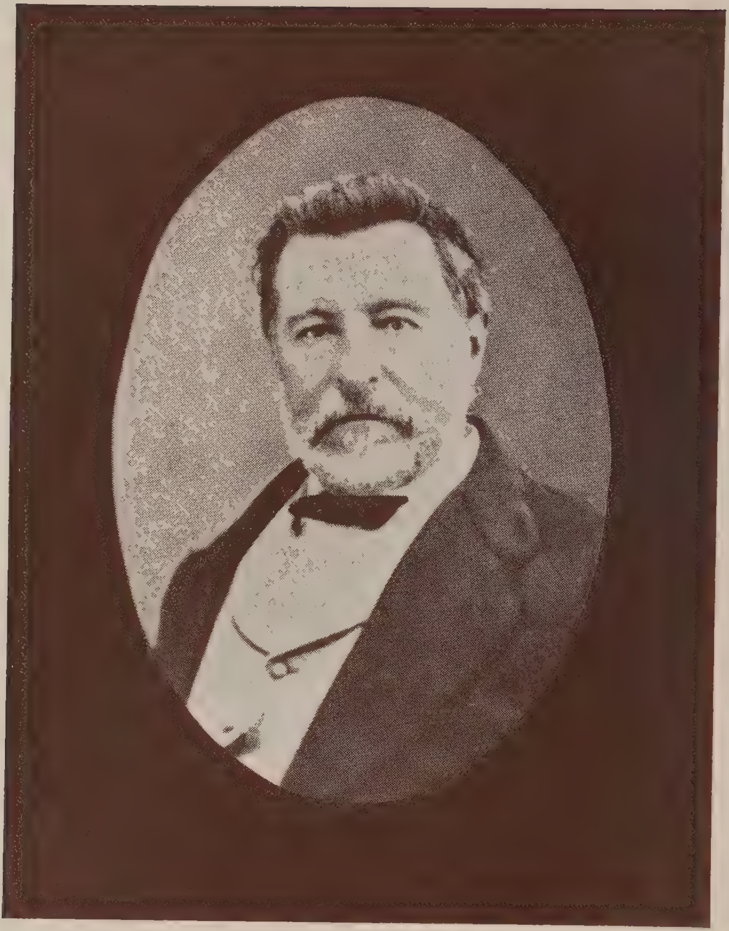
Dr. Isabel McCracken is professor of zoology, emeritus, of Stanford University and research associate in hymenoptera in the Department of Entomology, California Academy of Sciences.

Mr. W. G. Moores is an ardent collector of old weapons and the owner of the great collection of guns now on exhibition in the Calaveras County Museum in San Andreas.

Dr. Harry W. Plath succeeded to the practice of Dr. Frederic Loomis in Oakland, and is an ardent collector of Californiana.

Hon. J. A. Smith is judge of the Superior Court of Calaveras County and an enthusiastic student of that county's history. He has frequently contributed articles on local history to magazines and newspapers.

Mr. Walter H. White, a San Francisco insurance broker, is the son of Robert White, who arrived in California from New Zealand on October 24, 1849.



EDWARD VISCHER

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Edward Vischer's First Visit to California

Translated and Edited by Erwin Gustav Gudde

INTRODUCTION

EDWARD VISCHER is mainly remembered as a pioneer merchant and artist during the years following the gold rush.[1] His activities as a pioneer in the early development of trade on the Pacific Coast are less known. He belonged to the enterprising group of merchants that clustered around Heinrich Virmond, with offices in Mexico City and Acapulco. It was at Virmond's suggestion that he made a combined business and pleasure trip to Upper California in the fall of 1842. The impressions which he received on this journey he wrote down in a number of letters to his family in Bavaria. Most of these letters were published in four installments of the *Allgemeine Zeitung*, of Munich,[2] in the latter part of January 1846. These letters were later reprinted in the German newspaper, *California Chronik*, of San Francisco, and then issued in book form under the title, *Briefe eines Deutschen aus Californien, 1842* (San Francisco, 1873).[3] The two versions are identical, except that the reprint has a fifth installment and that many names are supplied or their misspelling corrected. The preface contains remarks about Vischer and a quotation from his *Missions of Upper California*. These are of little significance. Important and interesting, however, is an additional letter, which describes Vischer's journey aboard the *California* as a fellow passenger with a number of Micheltorena's convict soldiers. The author apparently did not wish to frighten his relatives with details of this hair-raising journey, but he supplied the editor of the *Chronik* with a letter to an unnamed friend. This account seems important enough to add it as an appendix to the original letters. The translation had to be by necessity a free rendition. Great an artist though he was, Vischer's German style was awkward, and a literal translation would more or less spoil the dramatic vividness of the original.

VISCHER'S LETTERS

On board the schooner *California*, 130° Western
Longitude, 32° Northern Latitude, September 18, 1842.

The isolated location of California alone is sufficient to stimulate curiosity. Therefore, I accepted with pleasure Mr. Virmond's proposal to take a trip there for the purpose of inspecting his business. The distance to the territory and its rather isolated location made communication and correspondence with it difficult.

My departure from Acapulco was fixed for the end of May, but, contrary to expectations, the schooner *California*,[4] which had in the meanwhile been on a trip to the Sandwich Islands, failed to arrive for a long time. At the beginning of July, I decided to take another vessel to Guaymas, on the Gulf of California, and then ferry across to the opposite shore of Lower California. Of course, all my baggage which was not absolutely necessary must be left behind, for I would have to travel overland through almost uninhabited regions. Just then the approach of a boat was signaled, and, to my great joy, she was the long expected *California*.

Taking leave of Acapulco turned out to be harder than I had expected. I must confess that an unmanly tear moistened my eyes when I said good-bye to a score of friends who accompanied me. A brisk breeze soon carried me away from the charming panorama of the bay, with its rock formations, palm forests, and the town in the background. To be sure, my stay at Acapulco had caused me some privation and many an unhappy hour; the social conditions of this seaport town harmonized little with the imposing natural beauty of the surroundings. Yet, I had grown fond of the place, especially since I had been obliged to leave Acapulco frequently on long trips, and was more or less only a guest, who was always met with true proofs of affection and respect. I felt quite sentimental when the bell of the chapel of San José chimed its farewell greetings to me as we sailed out of the port. It is a touching custom in Acapulco to send this final token of love and esteem to the departing friend at the moment when the vessel leaves its anchorage.

The captain of the ship, John B. R. Cooper,[5] was a fine old American whom I had known and esteemed for years. He was as pleased to have me as a fellow traveller on board as I was to have him. Another pleasant feature was the presence of Dr. Sandels Edhelyertha,[6] a native of Finland. He was an extremely accomplished scholar and a refined gentleman who had been a guest at our house and wished, like myself, to visit California. With the exception of the mate (a young Irishman of good family)[7] and the cook and the steward (both American negroes), the entire crew consisted of natives of the South Sea Islands. The brotherly conduct of these fellows to one another I had already observed and admired while on a journey to Callao.

These Kanakas have become almost indispensable for the ships along the coast of California. For the technical work on board and the maintenance of masts and rigging, European sailors are usually employed, but under their guidance the Kanakas are very useful for every kind of work, for maneuvering the ship, for taking in and crowding the sails, and for any dangerous task on the masts or yards. In the temperate zone where the climate is like that of their islands, they are just as good as American or European sailors, and they are superior when it comes to the difficult task of handling boats. They row uniformly, steadily, and untiringly, and are extremely dexterous in bringing a sloop safely and undamaged through breakers which no European would dare to cross. Many captains not acquainted with these shores owe their rescue to the resolution of these islanders, to their admirable skill in swimming, and to their familiarity with the surf. These men are modest, supple, and easily led by fairness and kindness; but a single rude word or abuse may break their zeal and good spirits forever. Their companionship on board or on shore is a model of brotherly harmony and mutual affection such as I have observed only occasionally among South American creoles, but never among Europeans or North Americans. The latter are too selfish and calculating, although it must be admitted that sailors in general distinguish themselves favorably from other classes by less selfishness in thought and deed. A Kanaka seldom lets himself be hired alone, but rather in a group of three or four. When their time is up, they stay together and look for another ship, or start some sort of establishment on shore and share their profits equally. Whatever the individual possesses is at the disposal of the others: a drink of water or brandy, a piece of bread, everything is common property. A cigar or pipe makes the rounds as long as there is any tobacco. During rough weather on the high seas the same jersey is used by successive watches, and the one good suit is for anybody who goes ashore. Kindness, willingness, and adaptability are striking traits in the character of the Sandwich Islanders. Most of those who leave the Islands learn to speak English or Spanish, and there is nothing more amusing than their manner of talking and the expressions of their faces. Among themselves they always speak their own tongue, and when five or six are together in good spirits, they fill the air with noise and prattle. Yet their speech is very melodious, and the prevalence of vowels gives it a pleasing sound.

Six of these islanders, four from Hawaii, one from Tahiti, and another from New Zealand, with a tattooed face, formed the crew of the schooner on her arrival at Acapulco. Unfortunately, a mild attack of smallpox, which for some time had prevailed around Acapulco, was carried on board. One of them died of this sickness, and the others were also soon infected, so that they had to remain under medical care at Mazatlan. Since they were replaced by sailors of other nations, the harmony on board was, to say the least, disturbed. I regretted that I lost the opportunity of further observing the community life of these good islanders.

Mazatlan has gained considerably in expansion and importance since my last visit; everywhere there are signs of prosperity. In view of the friendly reception on the part of all of my fellow countrymen, I was sorry that my stay could be of only short duration.

September 27, 1842.

A rather heavy northwest gale, lasting three days after a lengthy calm, has driven us off our course, but at the same time has brought us closer to the shore.

This morning we were rewarded for the terrors we experienced by our first view of the California coast. How agreeably surprising is the first sight of an unknown country toward which we have sailed for weeks, of which we have heard for years, and of which we have formed some sort of conception. This time I was pleasantly disappointed. Instead of a low, level shore with bare hills in the background, as I had imagined the country to be, we found ourselves facing here between Santa Barbara and Monterey a high cliff wall, projecting right down to the shore line and covered with stately fir trees. The sight of these majestic forests cheered me all the more as I reflected that, although thousands of miles away, I was at about the same latitude as my home country, or at least as southern Europe. To be sure, the rough weather of the last few days had already given me an idea that we had crossed into another zone.

September 30, 1842.

After cruising along the coast for three days, our schooner has reached its destination. We have dropped anchor, and before our eyes lies the town of Monterey, with its pleasing buildings, encircled by three wooded mountain ranges. How homelike appear the prettily-built timber houses with the smoking chimneys on the shingled roofs! What a feast for my eyes to see the amphitheatre of the green heights, the wide beach with its snow-white sand, and the scattered groves of trees. However habits may influence us, we human beings belong to the soil, and with joy our breasts will greet Mother Earth.

The boat of the customhouse is just now alongside our vessel, and well-known voices welcome me, certainly a lovely surprise in a strange country. My inquiries and queries find willing answers. I hear that one of our vessels is on her trip south, and has probably reached San Diego by this time; the other is anchored off the northernmost part of the coast, in the harbor of San Francisco, from where she likewise will sail to San Diego. I have decided to travel overland to San Francisco, which will take three days. From there I shall sail south to San Diego, and make the return trip on board whichever vessel leaves the coast first.

Monterey, end of October, 1842.

About my excursion to the North I could tell you much, indeed much more than is possible in the limited space of a letter. After the friendly reception at Monterey, I was provided with all necessities, took horses and guides, and started out in Californian style, with extra horses running on ahead of us. The ride took us through a fertile plain partly covered by beautiful forests. There were hardly any elevations, but the valley was bounded on both sides by distant mountain ranges. On the third day we reached the edge of the Bay of San Francisco, one of the most magnificent natural harbors in the whole world. With its smaller inlets and the widely spread branches of rivers and sloughs, the bay cuts through an immense territory and thus allows waterway connections to distant points in the interior. In the port of Yerba Buena, a town of about a dozen houses, I found our *Clarita* at anchor. Her captain, Carl C. Walter,[8] an honest Stralsunder, was greatly surprised by my visit and received me with open arms. Since the vessel had to wait for some cargo and to take in lumber and water on the opposite shore of the bay, I had the opportunity of looking around this part of the country for eight or ten days.

A few days after my arrival, the church festival at the nearby Mission of San Francisco de Asis (Dolores) was celebrated with High Mass, a bull fight, fireworks, and finally music and dancing in the presence of all the settlers and their families from the bay shore. It was my last recollection of Yerba Buena, for on the tenth of October we weighed anchor to move to the landing place of Sausalito, on the other side of the bay. From there I took a trip to Sonoma, the Mexican frontier settlement in the North, about twenty leagues distant from San Francisco. It is situated on one of the wide arms of the bay, not far from the recently abandoned Russian settlement and almost within the territory of nomadic tribes of wild Indians. I made use of the presence of an American boat to take the easier water route. The captain and the crew had for years lived as hunters in the rocky mountains of the far north, earning their subsistence with their rifles.[9] Now they had come down to exchange this boat, which had been built on the Columbia River, for cattle, which they intended to drive back overland to their new settlement in the midst of hostile Indian tribes. From these adopted sons of the wilderness I heard on the trip to Sonoma thousands of stories, all typical of the hard and dangerous life of adventure. The chief Nimrod was a Swiss from Basel,[10] a man of gigantic stature and a former soldier of a French regiment, who had come to America with other immigrants and had joined the hunters in the western provinces. This sharpshooter, who never missed his mark, was covered with scars, mostly received in fights with wild bears. The captain, an American, was still young, with a serious and ailing expression. He was rather reserved, but he thawed and became communicative when he saw that I took a sincere interest in his fate. For the life he lived, he showed a high degree of education, and spoke with great enthusiasm of the pleasures of hunting, and the independence of life in the wilderness. I began to understand why such people, once accustomed to an isolated life, find by and by in the unchecked freedom of the mountains complete compensation for all pleasures of society. He assured me that the charm of this roaming life would be irresistible, were it not for the constant danger of becoming a victim of the common foe, the Indians, or for the necessity of taking the life of other human beings in order to preserve one's own. It is due to the spell exercised by the freedom of the wide open spaces that some of these hunters on their journey to their homeland will return again to the wilderness when they chance to meet a troop of new adventurers. The hardening life in the mountains, the pure atmosphere, and the simple food have usually the beneficial effect of strengthening even a weak constitution. But there are exceptions, and the narrator himself was obliged to give up this mode of living. The hardships of a hunter's life had often brought him to the door of starvation, and a terrible snowstorm had caused a rheumatism which he could hardly hope to cure. Two other hunting companions seemed to be very robust and in good health. I was most interested in a little northwest Indian whom his family had sold to a young Englishman. He was a model of agility and animation and had cheerfully followed his master to the sea.

To complete the picture, I shall mention the other traveling companions on board the little vessel: an English sailor called Richardson,[11] who served as pilot; a fat Franciscan monk, Padre Guijas,[12] who, with his servants (consisting of three Indians with their families), was on his way to the mission across the bay; and finally my special companion, the Swiss, Jean Vioget.[13] The latter had been my guest at Acapulco years ago, and to his graceful brush I owe several pretty sketches of California.

The fact that I was able, after spending ten years in the tropics, to camp all night on the deck of the schooner without impairing my health was pleasing proof that my constitution had not suffered. Indeed, the rough temperature of the late fall and winter, which sometimes covers the creeks with ice in this region, agreed with me perfectly.

We rowed or sailed all night, and arrived the next morning at Sonoma. The Padre, remembering gratefully the hospitality he had enjoyed on board the *Clarita*, provided us all with horses, a whole drove of which had been brought in by Indians. We journeyed ashore, saddled the horses and, after a short gallop, arrived under the hospitable roof of our good host, who refreshed us with apples and grapes from the little mission garden, until the lunch table provided us with more substantial food.

Sonoma is a recent, that is, a ten or twelve-year-old, settlement. As a frontier point, it is provided against possible attacks with a garrison and several field pieces under the command of Colonel Don Mariano Guadalupe Vallejo, military commander of California. Since I had letters of introduction to him, he received me in full uniform and told me in a rambling conversation many true things, together with many others that sounded incredible. He showed me his establishment and the plan of the town, and treated me with grapes and wine of his own production. My Swiss friend took me to several other homes, mostly those of foreign settlers, who had acquired comparative wealth because of the unbelievably quick increase of stock. After our return to the Mission San Francisco Solano, the good Padre served us a modest but convivial supper and ordered horses and guides for our return trip the next morning. For several hours we enjoyed the jocular entertainment of our host, and then retired for the night.

We returned to the vessel overland in California fashion, in almost constant gallop, with a change of horses every three or four hours. We passed a camp of migratory heathen Indians. They are used to camping during certain seasons near frontier settlements to earn, by means of communal labor, a better living than is possible for them in the wilderness. When they thus come in contact with civilization and learn to know necessities of life which were foreign to them, it is easy to persuade them to become Christians and to be established definitely around the missions. Self-interest is, of course, the primary reason for approaching the Indians. The gradual infiltration of civilization remains very superficial, limited to certain religious formulas. Yet it is sufficient for the purposes of the landowners, who need the services of the Indians. In any case, it is a transition from the completely barbaric condition of the heathen savage to the benefits of human society. They lose their freedom, but their subsistence is assured, and the next generation is usually won for the settlement. As interesting as the visit to such an Indian ranchería was to me, I must confess that the impression was not at all cheering; the conditions are too beastly. I wish the romantic champions of primitive life and unfettered nature could throw a glance into the interior of these huts and holes, into the disgusting community life in a dark, smoky space, amidst dirt and vermin—I think he would forever be cured of his dreams. Only when the Indian is in his element, hunting or fighting, showing his muscular agility, can he temporarily arouse our admiration; when forced to inactivity in the circle of his home, he is below the level of an animal.

The ranchería consisted of about fifteen or twenty cone-shaped huts of straw. There was only one opening through which one could crawl. Unless they were on duty with their white neighbors or on a fishing or hunting trip, old and young, male and female, lay inside around a fire. Knowledge of Spanish was of no use with these people; we had to resort to signs and gestures if we wanted a drink of water from their basket-work pitcher. Similar vessels were used for cooking utensils. They do not place them over a fire, for fear that the close basket-work may start to burn. Instead, they place heated rocks in them to make the contents boil.

The occupants of these huts show neither shyness nor readiness to oblige. Black and red tattoo-like stripes painted on their cheeks and chins and pitch-black hair falling loosely over their shoulders lend, particularly to the women, a strange appearance, which is intensified by the impressive restless cast of the savage's eye.

An acquaintance who had traveled the same route several times told me that one day, tired of riding, he had stretched out under a spreading tree to have an afternoon nap. When he awoke, he saw himself surrounded by several hundred of these wandering Indians, some of whom observed him with greatest curiosity and even touched his body. Distributing his tobacco, the only thing he could give them, earned him general gratitude, and after his first fright he could continue his trip without trouble. The inborn passive character of California's Indian tribes has made the task of the missionaries easier, whereas, on the other hand, their apathy and the mortality due to carelessness and uncleanliness among the tamed tribes have greatly retarded the extent of their advancement.

At a rancho where we changed horses to reach the Mission of San Rafael on time, we saw the skin of a huge female bear that had been killed the previous day. Near the house there lay on the grass two cubs of the size of a mastiff, which had been clubbed to death by the people. Not infrequently one sees in these regions large herds of deer.

In San Rafael we met friends, among them Captain Henry D. Fitch,[14] the same American with whom I had made my first trip to Lima ten years before. After a good lunch with ample dessert of grapes, we continued our journey together.

At sunset we again passed an inhabited place, when suddenly a German roundelay awakened me from a momentary dream. Germans so far distant from the homeland? They were sailors from a Bremen whaler[15] who had used their leave for a pleasure and hunting trip. They told us that a large barque, rigged like a schooner, lay ready to sail down the narrows. We made use of this information and unharnessed, to make the last leg of our trip comfortably by water. After a trip of an hour and a half in soft moonlight, we were on board the *Clarita* in the bay of Sausalito.

Monterey, end of October, 1842.

My previous reports have shown you the quickly-changing impressions of my travel through California. Whatever the country may still lack in regard to social diversion, I feel that my longing for adventure on land and on sea would have attached me to California for a longer time if fate had brought me there a few years earlier. My trip to northern California will live forever in my memory.

A two-day journey on the *Clarita* brought us from San Francisco to Monterey, where we were surprised at the occupation of the place by the American squadron, and its return to the Mexican authorities on the third day.[16] A voyage of a few days will bring me to San Pedro, the harbor of the new capital, the Pueblo de los Angeles, headquarters of our agent. Just as I am about to put down my pen, a German melody wafts sweetly from the American flagship and fills my soul with pictures of the fatherland. The Commodore is a lover of music, and has taken care to hire a band of good musicians, among whom are several Germans, of course. The band-leader is also a German, a native of Nassau, who knows how to satisfy his superior's predilection for German music. Stern and severe as the Commodore is in war, he is most courteous in peace, and never fails to send his band to Monterey to brighten the evening hours of the inhabitants. In spite of the indignity suffered a few days ago, the naturally peaceful and obliging Mexicans bear no grudge. The doors of the houses are willingly opened to receive as dancing partners the young officers who just a few days before entered the town as conquerors.

Pueblo de los Angeles, November.

In the new Southern capital I shall continue my last letter, which I started in the old capital under peculiar circumstances. The privileged sister, Los Angeles, will be the seat of the authorities and the new governor, Don Manuel Micheltorena, who recently arrived with four hundred soldiers.[17]

Our voyage was of short duration. We left Monterey on the twenty-ninth of last month and arrived at Santa Barbara on the first of November. The city is a friendly place of about fifteen hundred inhabitants, situated just a short distance from the shore. With the mission of the same name, located on a neighboring hill, it forms an interesting sight. A winding path leads to the well-constructed building of the mission. A sort of fort, with four cannon and a Mexican flag pole, serves as barracks for the mounted detachment stationed at Santa Barbara. The background of barren or partly forested mountains is very picturesque, and the misty blue sky over the wide range gives a pleasant contrast to the deep green of the tree groves on the plain. These nut and olive trees tell the traveler from the North that he is approaching a warmer zone.

Monterey, until recently the seat of civil and military authorities, shows in spite of its primitiveness a certain aristocratic character which is especially recognizable at balls and other public affairs. Santa Barbara, on the other hand, the residence of the Bishop and members of the higher clergy, has an atmosphere of pious individualism which is soon felt by a newcomer. Yet there is no lack of elegant households among the foreign element, and the house of Captain Wilson,[18] whose guest I was during my short stay, was to me a most pleasing picture of domestic comfort and harmony.

With the exception of a number of communications from Mexico to the Bishop,[19] on whom I called the first afternoon, I had no business in this town. The personality of the Bishop did not make a very good impression upon me. I had heard repeatedly of the hypocritical character of this Mexican saint, and his conduct appeared to confirm this description. The monks, communicative, jolly fellows, I liked much better. In their quarters, they served me pears and other fruit from their own orchards and never tired of asking me questions about Mexico.

My most pleasant experience was the surprisingly marvelous view over the town, bay, and ocean, which I beheld from the height of the mission. I should have indulged longer in looking over the wonderful panorama if the sons of my host,[20] a couple of handsome youngsters who had grown up in the Sandwich Islands, had not told me that it was time to return. We drove back to town in Mr. Wilson's carriage. An hour at tea, and visits to acquaintances of former years who were pleased to see me so unexpectedly, made the day pass quickly, and toward ten o'clock we returned to our vessel. It was high time, for a sudden gale made the breakers of the open landing place roll higher and higher.

In embarking we were thoroughly drenched until the boat, which at times seemed to stand on end, was shoved through the swaying field of seaweed. After we were on the open sea, we reached our waiting vessel without further trouble. Warned by the signs of the approaching storm, we weighed anchor immediately, and the swelling wind soon carried us away from the other ships. One of the crew, a Sandwich Islander, was missed at roll call, and the ship was searched in vain. If he had fallen overboard, it would be impossible to pick him up in the dark, stormy night. If he had, as was more likely, chosen the last moment to jump overboard and flee, there was no hope for his escape. Yet months later I learned that in spite of the storm, darkness, and distance, he had reached another vessel. He had had an agreement with a friend on this ship to take the trip with him.

After a voyage of only thirty-six hours, we reached the harbor of San Pedro, a bay protected from the north by a promontory whose barren hills are rather unattractive to the eye. The harbor is a regular hell for sailors. Because of the uncertainty of the anchoring place, the ships are often obliged to flee suddenly from the calms which prevail at certain times and often have to leave anchors and chains behind. Embarking and disembarking are also more difficult here than elsewhere along the coast. Close to the landing place, there is a barrier of rocks which demands extreme caution in handling the boats. The only building of the port is a sort of warehouse for storing products from the interior. It stands on a nearby elevation, whose steep slope makes the taking over of cargo rather difficult. We landed in the afternoon with some difficulty, due to the shallowness and the rocky bottom. We hired horses and guides, and a gallop of eight hours brought us at twilight to the goal of my journey, the Pueblo de los Angeles, about ten leagues distant. Here I intend to make my headquarters for the next three weeks.

Monterey, the capital, had been till now the residence of the governor, but the newly-arrived governor has decided to make Los Angeles his residence, and transfer the government to this place. The recent happenings at Monterey have convinced him that it would be more advantageous to have the seat of government in the interior, where it is not exposed to a surprise attack by a foreign power. The better communication with Mexico, the larger supply of food, and other considerations were additional reasons.

My meeting with the representative of our firm, Don Eulogio de Célis,[21] a Spaniard, was very cordial. Although we were often separated by a thousand leagues (I might have been in Chile while he was in northern California), our services were devoted to the same company. Thus the renewal of our personal acquaintance gave rise to numerous recollections of former times. We carried on a regular barter. I told him everything interesting about my journeys, and he supplied me with many accounts of his long stay in this country. His stories were seasoned with Andalusian wit, and told in the bold style of an adventurer, tried on land and sea. They were excellent additions to the observations which I myself had made in this country.

Should the term "capital" tempt one to imagine a populous city, with all the attributes of a seat of government, public buildings, establishments, parks, etc., one must remember that Los Angeles is only a Californian capital. Between eight and twelve hundred inhabitants live in some sixty to one hundred houses, which form streets but no connecting rows. The whole country, however, is so sparsely settled that a place containing a sixth or an eighth of the whole population may very well claim the privilege of being a metropolis. The outskirts are pleasant and productive; a cursory examination has convinced me that southern California is more fertile and lucrative than the northern part. The chief wealth is found in viticulture. Grapes thrive excellently everywhere, and the grower is assured a handsome profit without much effort. Stock raising, too, is much more profitable here than elsewhere in California, for fodder grows abundantly in this region, where there is plenty of water. There is no danger of extensive cattle-stealing, for the rugged mountain ranges of the Sierra protect the valley from the Tulare Indians. The number of half-civilized Indian laborers is much larger here than in the North. Hence it is much easier to get agricultural workers and make farming more remunerative. In other places cattle are killed just for the value of the skin; here they make use of the meat, the fat, and the tallow. Horse raising likewise is more profitable here than in the North, because the location offers better protection against Indian raids. In addition to the large number of tame horses on the open range, immense droves of wild horses roam between the pueblo and the harbor, making the ground resound with hoofbeats and filling the air with dust as they pass.

The discovery of a gold mine a few months ago near San Fernando, just a short distance from Los Angeles, may contribute to the development and wealth of the district.[22] About three leagues distant, a number of puddles exude a sort of pitch,[23] which can be used for roofing and other purposes and which is occasionally exported to other parts. Food of every description is cheap; corn especially is so plentiful that this district might well be called the granary of California.

The way of living is, of course, very primitive. Without the conveniences of modern cities, each household is more or less self-sufficient. An animal is brought from the field and slaughtered at home. The hide is dried and stored, and the necessary meat for the kitchen is cut off daily until the supply gives out. The cool, dry climate keeps the meat fresh for a long time. The tallow is used for candles and the fat for cooking. Meat, corn, beans, with plenty of fruit and wine, constitute the list of domestic luxuries, and we were satisfied, as were the others. Most of the time we were alone in the house of our host, for the latter travels up and down the coast all year around and enjoys only a few weeks of home life. When we departed, we left the house in charge of a neighbor.

Pueblo de Los Angeles, November, 1842.

Our principal diversions were excursions, either on horseback or in the cabriolet of my friend. Often we took a gun along to shoot rabbits, which are plentiful everywhere, or wild geese, which abound on marsh and meadow at this time of the year. An occasional ride to the harbor, or a visit from an acquaintance who chanced to arrive by land or water, were the only other social pleasures we enjoyed. The tone of our conversation was frank and unaffected, as is usual among people who travel much and whose business is subject to many vicissitudes.

Most of all, I liked to visit the nearby vineyards, which brought back recollections of my youth. Ordinarily I took these walks in the bitter cold of early morning. First, I would climb one of the hills to have a view of the surroundings: the distant bay of San Pedro, and the island of Santa Catalina, gradually fading away in the hazy distance. Then I directed my steps toward one of the estates whose good location or neat house had taken my fancy. I was always certain of being received in a friendly and hospitable manner. I should have offended the good people had I refused to eat or to take along their offerings of grapes or figs. Although I always drank a glass of warm fresh milk when I arose in the morning, the feast of grapes, figs, and olives did not cause me any discomfort. On the contrary, an hour later I could sit down to a substantial breakfast with the best appetite in the world. This stands as proof of the wholesomeness of California climate. The clear, brisk atmosphere seems to make a person strong enough to digest iron. Watermelons and other fruit are often served at midnight. Eating them at that time in the tropics would cause a dangerous fever.

One of the morning excursions brought me in contact with an honest fellow countryman. After I had jumped across a wide, half-frozen creek, I broke off a piece of ice and held it against the rising sun, thinking of the time when I spent every free hour ice-skating on the Danube. The sight and feel of ice, which I had missed so many years, transported me into a sort of reverie, until I noticed to my embarrassment that I was being watched by a broad-shouldered man. He stood hardly fifty paces from me at the door of his summer house, and enjoyed my doings with a good-natured smile. He invited me to come in and try his grapes, which, he assured me, had no equal in the entire country. By his accent, I recognized at once a good old German. He immediately showered upon his newly-found fellow countryman natural and unconstrained expressions of joy. With great interest I followed the story of my talkative host. In his youth he had been a cooper on an American whaler, had been saved from shipwreck on the coast, and had convinced himself after a while that California was not a bad place to live in. He established himself, acquired a little fortune, and for many years has been living happily married in Los Angeles, more content and satisfied than he could have been in Germany. The name of the good fellow was Hans Gönninger,[24] but here he is generally called "Juan Cojo" because of his limping walk; a Californian tongue would hardly be able to pronounce his name. His honesty and good nature were proverbial in Los Angeles, and I have never met a more upright German artisan than Hans, whom fate had cast away on a strange shore.

Cattle-raising has such an important place in this country that the wealth of the individual is estimated by the number of his cattle. I was especially interested in everything relating to the management of horses. I observed with interest and pleasure the horsemanship of Californians. They seem to be born in the saddle. From childhood on, they spend most of their time on horseback and attain an adroitness and agility which are almost unbelievable. The handling of the lasso is as important a part of their education as reading and writing are with us. Rarely need a Californian throw a second time; in most cases the part of the animal's body which the rider's fancy may choose is encircled at the first throw. At the time of branding and killing, the field is a regular arena of equestrian skill, one rider trying to outdo the other. When an animal is lassoed, the rider drags it to the assigned place and administers the death stroke without leaving the saddle. Bullfights and races are other occasions when Californian horsemanship is shown at its best. Men hardly ever walk in this country. They are always on horseback, and the fresh air and the hard, even ground enable them to gallop most of the time. The constant chasing about in the streets of Los Angeles made me think at first that the hurry was caused by some important event. But I got used to it very soon, and for some time thereafter I could not understand how people could find pleasure in riding slowly.

The quickness and agility of a Californian on horseback are a strange contrast to his usual languor. With utmost nonchalance he will saddle and harness his horse in the morning, chatting and smoking, using more time than is necessary. But after he has mounted his steed, often without using the stirrup, he is a different person. He never stops until he reaches his destination, no matter how far distant it may be. If the horse gets tired, the rider lassoes another at the next pasture, changes saddle, and continues his journey. Outside of notifying the owner of the borrowed horse, and releasing it to find its way back home, there are no formalities necessary. Traveling is nowhere easier and quicker than in California. A Californian will tear along the road as if it be a matter of life and death, yet he may only want to light a cigar at the house of a friend. He can talk for hours in front of a door, slumped in his saddle, until a sudden idea pulls him out of his indolence and causes a new outbreak of energy. Many spend days in this manner, going home only when they get hungry and are not invited to stay anywhere. If it happens that a man comes upon a gambling or drinking party, the ride is over for the day. Such a party often lasts twice twenty-four hours, until the last drop is consumed or the last coin gambled away. The poor animal remains saddled and tied to a post without fodder or water. When a ranchero comes to town to attend some festivity, the horse is treated in like manner. In spite of the long ride, it is left standing until the party is over, and then it has to carry its master home.

This brutal treatment is, of course, due to the great plenitude of horses in the country. An animal must take care of itself, for stables are unknown in California. The barbarous Californians look upon a horse as a useful commodity which is of little value and easily replaced. There is a proverbial saying among the common people of Spanish America: "Who told him to be a horse? Had he been born a bishop, he would have no other work to do but to give his blessing."

San Diego, end of November, 1842.

Here I am, on the last leg of my California journey. Both vessels of our firm are in port to load the goods from our local storehouse and exchange the products collected along the coast. The *Catalina* is ready to sail and will leave within a few days with a full cargo of hides. This is the result of eighteen months of effort on the part of our agents, repeated sailings up and down the coast, and long journeys into the country to get the goods together. And yet, our credit in California amounts to three times the value of the cargo. Disregarding the principles of normal trade, the competing American and foreign vessels have stocked up every available place with such large amounts of imported goods that experts maintain that even if all the livestock were killed, not enough hides and tallow would be produced to pay the debt of the Californians. Formerly, the independent missions, with their normal increase in livestock, could easily pay for their simple needs. With the establishment of the numerous private ranchos, the trade took on a fresh impetus which soon grew entirely out of proportion. Every supercargo figured on his smartness to outdo his competitors and increase his profits by luck and cleverness. Every ranchero, formerly so modest in his demands, became optimistic and reckless after the disappearance of the missions. He could not resist the temptation of buying all sorts of commodities and luxuries which were so readily offered to him. Since he could not pay his debt from the results of his seasonal slaughter, he gave in payment his stored-up products, that is, his cash money. The American peddler went up the rivers and creeks in his light sailboat with a few trunks, well stocked with household utensils, women's finery, etc., and spread his irresistible treasures before the greedy eyes of the plain country folk. Loaded with hides and tallow, the profits of his smart policy, he would smile triumphantly when he chanced to meet the heavy boat of a trading vessel which had come to collect the promised products and had to return to the ship without having accomplished its object. Under such circumstances, I was lucky to gain from my short stay in California the knowledge of the altered and not very encouraging situation, and to make up for the disappointment by bringing back at least one full cargo, which was loaded in San Diego under my supervision.

I do not want to tire you any longer with my discussion of the commercial conditions. In the meantime, I have received many more new impressions which, interesting as they are even now, might be of greater significance in years to come.

The southernmost part of California contains many monuments of the mission period and is for this wonderland what Italy is for Europe. To visit this region was one of the principal reasons for my trip which, I knew, would in other respects cause me many an unpleasantness. I should have been greatly disappointed had I not been able to carry out my plan, yet it almost came to naught at the last moment.

A Mexican acquaintance, Mr. Latallade,[25] had stopped for a short visit, and when he was ready for his departure, we decided to accompany him to San Pedro. I gave up my seat in Célis' cabriolet to give the two old friends a chance for further conversation, and instead mounted my host's horse, which unfortunately was poorly saddled. Trying to catch up with the carriage, which had left the town before me, I jumped across a ditch, when the girth broke, and I was thrown none too gently to the ground, the saddle between my legs. Fortunately, there were two Californians nearby; one caught the horse and the other assisted me back to Los Angeles, where I went to bed immediately. When Célis returned, he insisted upon setting my dislocated hip. He called in a couple of sturdy vaqueros, who pulled and tore me in various directions for all they were worth. Small wonder that such energetic treatment chained me to my bed for over a week, before I was again able to walk about the room.

In spite of the accident, I insisted upon taking the trip to San Diego overland. I had to be lifted into the saddle, but once mounted I felt that I would be able to stand the ride.

The first day brought us to the Mission San Gabriel, where Célis had a parley with Fray Tomás Esténega,[26] the Franciscan in charge. The solid, buttressed church and the well-preserved mission building, with an arcade enclosing the court, showed its erstwhile importance. Under the management of a resourceful padre, it had been a model California mission. About 2,700 Indians had worked on its several ranchos, the livestock had consisted of over 100,000 cattle, 20,000 horses, and numerous small stock. The vineyard is said to have contained over 4,000 vines. An iron fence for it, ordered from Europe, had been considered a sinful extravagance by the superior and had caused the transfer of the guilty Padre.

The vicinity of San Gabriel, the so-called *monte*, is like a garden paradise. No better soil or climate could be found for grapes and semi-tropical fruit. The sight of the charming groves of nut, olive, and orange trees gave me the greatest satisfaction.

We rode all afternoon parallel to the picturesque mountain range, over fertile plains, until we reached the Rancho de Santa Ana after sunset. The estate lies like a fortress on an elevation. Everything was arranged for order and comfort. I was astonished at the completeness of furnishings, from the solid dining table, the well-stocked buffet, the excellent beds, down to the Black Forest clock, which I was surprised to find in this country. The owner, Don Tomás Yorba,[27] was known everywhere for his hospitality. He combined polite frankness with modest dignity, and belonged to that class of our customers who can rightly be called the patricians of California and whose word is as good as gold. Like many other Californians, he was an honorably discharged officer of the army who had received a land grant, engaged in cattle-raising and trading, and in the course of time had become a wealthy man. Don Tomás, now a stately man in his fifties, had married Doña Vicenta Sepúlveda when he had already reached middle age. The wedding had been a sort of general festival, the whole district paying homage to the worthy couple. Doña Vicenta, attractive and slender, was just the person to rule the comfortable household with grace and dignity. After an excellent meal, we regretted to have to take leave of our hosts soon after dinner, so that we might be prepared for the strenuous ride the next day. When we saddled our horses, long before daybreak, we were surprised to find our friend Yorba mounted at our side. He insisted upon accompanying us to our first stop, where in accordance with his instructions a good breakfast was awaiting us. He rode a magnificent bay horse, whose elastic gait and fine conduct caused my admiration. When he embraced us once more from the saddle and wheeled off to return, I had to admit that I had never seen a more ideal picture of an upright, hospitable, and handsome ranchero.

Around noon we approached San Juan Capistrano, one of the southernmost missions, not far from the coast. At one time, the mission had its own landing place for receiving and shipping goods, but it lost its former importance years ago. The church is a beautiful ruin; it was destroyed by the earthquake in 1812 during a service, burying a number of Indians under the debris. The architecture of the vaults and the careful stucco-work of the walls show that the building was a fine piece of work. In 1829-30 the mission had two monks of outstanding abilities. One was Padre Boscana,[28] who is buried there, and who is well known for his ethnological research among the natives. The other is Padre Zalvidea,[29] a tall old man, with noble features but a confused mind. He stood before us like the guardian of these forsaken ruins, whose living personification he appeared to be. He carried with dignity the poverty and neglect which fate had bestowed upon his gray head. But he still had the true spirit of hospitality and took care to put at the disposal of passing travelers all the comfort and help which he still could give.

I was much interested in the lively scene of a *remonta*, when at a designated place, the *remudadero*, a *manada* of thirty to forty horses, led by a mare with a bell, is driven into a *corral*. The desired saddle-horses are then caught with a lasso. In vain did the animals try to escape the dreaded noose. Unfailingly the lasso caught its victim, and, submitting to its fate, the animal was pulled out of the throng until the necessary number was reached. The unsaddled horses which had served the riders till now either joined the rest of the drove or else found their way to the home pasture.

At the Sepúlveda rancho,[30] which had a reputation for its good horses, I saw two beautiful, unbroken, cream-colored horses with light manes. Their fine bearing caught my fancy so that I could not keep my eyes away. At another place behind San Juan, the *corral* was next to the cliff over the beach. It was frightful to see how the poor beasts hurried along the poorly fenced edge, avoiding with uncanny instinct the danger of crashing down the cliff.

From San Juan, we rode along the coast where an asphalt-like marl forms a wall for many miles. Its worn side and the eroded clefts show the power of the onrushing breakers. During calm weather, the beach below the cliffs, although in places covered by the foam of the waves, serves as a regular highway. At high tide, the travelers have to splash through the water, but at low tide they can gallop over firmly packed beach marl. It is a great pleasure to ride with a cavalcade in this manner, hearing the rhythmical hoofbeats of the horses and the monotonous roaring of the breakers, and seeing on one side the high, gray cliff wall, and on the other the immeasurable spaces of the Pacific Ocean—an unforgettable picture.

Toward evening, we left the beach, and a quick ride of a few hours brought us to San Luis Rey, the second largest mission of the south, where in the midst of isolation Father Peyri's[31] energy and administrative ability have built a worthy monument for the Order of the Franciscans. Here we met our esteemed friend Don Miguel de Pedrorena[32] at the house of the Estudillo family,[33] and at a large dinner-party we celebrated the reunion with other old acquaintances.

The next morning Célis' time was taken up with business engagements, and I made use of the opportunity to become acquainted with the extensive estate. Captain Stokes[34] kindly offered his services as a guide, and I gladly accepted, because I was anxious to get an idea of the organization of a large

Franciscan mission. I realized, of course, that the present condition could hardly be more than a reflection of the former splendor, when the mission owned 80,000 head of cattle, 10,000 horses, and 100,000 head of small stock, and when sheep-raising and weaving were its principal sources of revenue.

In the church and the churchyard I observed many interesting tombstones. Those around the altar bore the names of members of the order, and on the graves around the church I saw many well-known names of early pioneers. Although the steeple of the church had never been completed, it nevertheless looked quite imposing between the cemetery and the almost endless arcade of the dwellings. The inner arcade, enclosing a spacious square, contained the workshops in which looms and other equipment could still be seen. The number of converted Indians had once amounted to several thousand, and the forsaken shops, the neglected gardens, and plantations with their isolated groups of palm trees were witnesses of bygone days which will never return.

The journey from San Luis Rey to San Diego took up the remainder of the day. We rode through several valleys, but mostly over broken, hilly ground with sandy defiles. The fields were covered with aromatic shrubs, characteristic of this region. It was already dark when we reached the bay, and we could barely see the silhouettes of our salt works and warehouses. The fierce barking of dogs announced our arrival to the crew which was working on land. An hour later we sat with Captain Snooks[35] in the comfortable cabin of the *Catalina*, where an excellent supper made us soon forget the hardships of the ride. I retired soon to my nice, comfortable bunk, for the exertion had been a little too much for my weakened condition. I was glad to have my well-earned sleep while the others continued to talk and drink.

Among several trading vessels was the American barque *Alert*. Upon the arrival of the intelligence that Monterey had been occupied by American forces, the master of the *Alert* had conceived the brilliant idea of sending his boatswain and the ship's carpenter with hammer and bolts to the shore to spike the few cannons of the deserted fort. Proud of his heroic deed, the Captain weighed anchor and set sail in such a hurry that his vessel grounded on its own ballast. Fortunately his silly prank had no other consequence than to expose him to the ridicule of the Mexicans.[36]

The few weeks during which the cargo was loaded passed by quickly. The afternoons we spent visiting the families of the town or roaming over the hills, from which we had a picturesque view of the bay and the so-called false bay, where in early times many a bitter tragedy had taken place. We also visited the mission which we had passed upon our arrival. The ghost of that pious fighter for the faith, Junípero Serra, and his hardened, weather-beaten soldiers clothed in leather doublets, still seemed to hover over bay and shore.

I had not forgotten the two fine, cream-colored horses, and in a moment of weakness I succumbed to the temptation, had them fetched to San Diego and put on board. Now I could not very well refuse to let Captain Hansen,[37] formerly in the service of Mexico, and a regular dare-devil, take his own favorite horse along, although I knew that he just wanted to satisfy his whim of horseback-riding on board the vessel. On the morning of our departure, after the launch had been hoisted on board, there was another surprise in store for me. We noticed a Californian with an extra horse galloping on the beach, giving frantic signals and waving a letter. When we got him on board, he gave me a message from our friend Don Tomás Yorba, asking me to accept his beautiful bay as a present and a remembrance of California. He wished, so he wrote, to accord his horse the honor of being ridden by me along the *Paseo* of Mexico City. Such a generous offer I could not very well decline, and an hour later the horse was safely on board. Although I lost this bay a long time ago, the chivalrous Yorba will always live in my memory.

APPENDIX

The schooner *California* was the property of the province of California and subject to military authority. Its master had been ordered to call at San Blas, as well as at Mazatlan, and report to the commanding officer of these places. While at anchor in the harbor of San Blas, the vessel was almost shipwrecked. A thunderstorm broke with such violence that she just barely escaped, leaving anchor and chain behind. At Mazatlan, a new crew had to be hired from the dregs of all nations, for all hands except two had been disabled by smallpox. A worse surprise was in store for the Captain; he was obliged to take on board the remainder of Governor Micheltorena's troops. These men were delivered from the prison in chains. After their handcuffs had been taken off, they were soldiers of the Mexican Republic, destined to defend the colony. With a small addition of regulars, Micheltorena's corps had been formed from all sorts of rabble; in fact the jails of Jalisco, Chapala, and other places were obliged to supply most of these "soldiers." Upon petition of the frightened merchants of Mazatlan, the military commander, General Duque, had this mob interned on one of the islands of the harbor to await the arrival of the transports. Hardly had they been put on the island when they hurriedly built rafts, using the canvas of the tents for sails, and made a desperate attempt to escape. Most of them would have been carried away by the current and drowned in the ocean, if the authorities had not taken quick action and had the doomed men picked up by boats. After they had been finally put on board the transports, it was found that about thirty or forty of the most desperate ones had remained behind, hidden in caves and ravines. They, too, were at last rounded up and locked in the city prison, to be put on board our schooner. The consternation of our good captain, John B. R. Cooper, was great when he realized what sort of passengers he would have, on top of his more than doubtful crew. All protests were in vain. Their chains clanking, the motley crowd was marched to the harbor and placed on board our vessel. The Captain did not even receive a sufficient amount of provisions to feed them.

Upon Cooper's most urgent remonstrances, the military commander consented to place an officer on board to represent the military authority.[38] However, the man selected for this service was only a living shadow, pale, wasted by fever, and with the seeds of death in his body. Together with him, his care-worn wife, and crying children, I reached the schooner on the last boat to leave shore.

The sight of the brown, ragged fellows filling the deck was so discouraging and ominous that I should have liked to return to land if I had not been bound by my word. There were doubtless some poor chaps among them who were guiltless and only the victims of the revenge of some enemy. But the majority were criminals of the worst type, among them nine who had been sentenced to death and paroled in order to be transported as soldiers to California.

Having such an element on board a small ship of hardly eighty tons was all the more dangerous because none of the convicts believed in the good luck of having their sentences cancelled simply by becoming soldiers. They all thought that they were being brought to the distant colony to serve their terms under much harder conditions. The temptation to start a mutiny together with the crew, mostly Irish and Creoles, and to gain liberty by beaching the vessel on the barren shore of Lower California, was doubtless great among them. Since the Captain could depend only on the few passengers, the mate, the cook, the steward, and the two remaining Sandwich Islanders, one can easily imagine how acute the danger was.

During the first week, when Cape San Lucas offered a most desirable spot to put the *California* ashore, they were fortunately all very seasick. Completely dispirited and apathetic, they lay or crouched everywhere in great misery. However, the climax of danger was reached about two weeks later, when the emaciated Mexican officer, who had, after all, kept a certain discipline, died after a terrible attack of seasickness. His burial would give the convict-soldiers the right to appear on deck together to do honor to their captain. If they could get hold of the muskets from the partition next to the cabin, they could easily succeed in their scheme. However, we had been warned of the plot and made sure that they could not obtain the rifles. Moreover, as luck would have it, shortly before the funeral a storm broke and prevented them from coming on deck.

A terrible gale which lasted three days and drove us far out to the open sea proved to be our best ally. The very first day, mighty waves broke over the deck and streamed through the open hatchway upon the mass of empty barrels stored in the hold. This caused such a frightful racket that the poor sinners, believing the day of judgment at hand, began to sing the "Miserere de Santo Dios." The fright put an end to all thoughts of mutiny, and when we approached the harbor of Monterey after the storm, they all crowded on deck, thanking the Lord for their salvation and rejoicing at the first sight of the shoreline of California.

We all felt a great relief when we reached Monterey after a journey of thirty-eight days, our provisions practically exhausted. The good people of Monterey, however, threw up their hands in astonishment when they watched the new additions to the defenders of the realm march to the barracks. They found consolation in the fact that General Micheltorena's headquarters were to be transferred to Los Angeles and that they soon would be rid of their uninvited guests.

It was not the first time that California had been favored by the mother country with similar immigrants, and it cannot be denied that many of the exiles, having escaped from the misery of the old home into more favorable conditions, had become useful members of the community. The skilled Mexicans of the lower classes will often make good after they have gotten away from their native surroundings. In some of the real penal colonies of other countries, the problem of reforming prisoners has been solved with success. Why should not California, under much more favorable conditions, prove the validity of this principle?

NOTES

1. A reliable, short biography of the pioneer is given by Francis Peloubet Farquhar, in *Edward Vischer and His "Pictorial of California"* (San Francisco [privately printed], 1932). A very interesting addition to Vischer's life story is contained in Sir Edward Belcher's official report of his epoch-making cruise on board of H.M.S. *Samarang*. In 1845 Vischer had sailed to China with a cargo of silver on board the Bremen brig *Express*. Shipwrecked on the island of Batan of the Bashee group, the crew was marooned for several months until Sir Edward chanced to anchor at the island on the nineteenth of November. The latter describes the meeting as follows: "Before communicating with the shore, the authorities sent off, apprising me that the Bremen brig, 'Express,' from Mazatlan, bound to China, had been wrecked in the Bay of Mañanïoy, on the eastern side of Batan, but that the crew and property were safe. I had already sent to offer assistance, and the conveyance of her crew to Manila, when her supercargo, Mr. Vischer, came to pay his respects, and to request that I would receive his cargo, consisting of specie to the amount of 85,000 dollars, which had been saved. To our mutual surprise and gratification, he proved to belong to the firm of Kayser Hayn, and Co., of Mazatlan and Acapulco, to the principals of which I had been under great obligation during my visits to those ports in the 'Sulphur,' and Mr. Vischer and myself had also met under peculiar circumstances at Manzanilla. After very few communications relative to the disaster, he was assured of a home on board the 'Samarang,' as well as passage for his crew, etc., to Manila." Sir Edward Belcher, *Narrative of the Voyage of H.M.S. Samarang, during the Years 1843-46* (London, 1848), II, 74-75.

2. The library of the University of California has recently acquired a complete file of this important periodical.

3. The copy in the California State Library seems to be the only one extant.

4. The *California* had been purchased for the government of Alta California by Governor Juan Bautista Alvarado in 1837.

5. John B. R. Cooper had come to California in 1823 and was perhaps the best known and best liked of the skippers who developed trade along the coast. His "Log of the California, 1839-1844," is in the Bancroft Library, at the University of California in Berkeley.

[Unless otherwise stated, the biographical notes are taken from the "Pioneer Register and Index" in Hubert Howe Bancroft's *History of California* (San Francisco, 1884-90), Vols. II to V.]

6. In view of the fact that Vischer gives all other names correctly, I am inclined to believe that this reference establishes the real name of this interesting visitor. He is also known as G. M. Waseurtz af Sandels. Cf. this QUARTERLY, XVIII (December 1939), 311. Sutter and the other settlers who entertained him called him simply "Dr. Sandels." The confusion may have originated with the explorer himself; Swedes often change their names without much ceremony. His family probably belonged to the Swedish minority in Finland. Vischer's reference offers additional proof that his fellow passenger was the author of the reports signed "King's Orphan." These I was allowed to consult through the kindness of their present owner, The Society of California Pioneers. It is interesting to compare Vischer's realistic account with the romantic story of Edhelyertha. The latter does not mention Vischer as a fellow passenger, unless he was the Mr. F (cf. Note 16) who was infected with smallpox but recovered. However, it would seem that Vischer would have mentioned his illness if it had been he.

7. According to Bancroft, John Roderick, an Englishman, was mate of the *California* in 1841-42. Bancroft, *op. cit.*, IV, 563, and V, 700.

8. Bancroft spells the name, probably correctly, Wolter. From 1833 to 1848 he was master of various coast vessels. Later he settled in Monterey, where he died in 1856.

9. The story of the *Star of Oregon*, substantiating and supplementing the facts presented in Vischer's account, is given by her master, Joseph Gale, in "The Schooner 'Star,'" *Transactions of the Oregon Pioneer Association* (1891), pp. 181-92.

10. Doubtless the renowned Emil Ermatinger, the most colorful captain in the employ of the Hudson's Bay Company. He had not come down on the *Star of Oregon* but had joined Gale and his companions after their arrival on the seventeenth of September 1842. The article cited in Note 9 mentions another Swiss, Charles Pfeffenhauser, who claimed to be a relative of Sutter and was on his way to New Helvetia, as a passenger on the schooner. Bancroft, in his list of vessels for 1841-42 (*op. cit.*, IV, 568), mistakenly states that the vessel had arrived in 1841.

11. This "English sailor," William Antonio Richardson, at that time already bore the proud title of captain of the port of San Francisco.

12. José Lorenzo Quijas was in charge of the Missions of San Rafael and San Francisco Solano from 1834 to 1843. Vischer spells the name "Guijas."

13. Jean Jacques Vioget had been a pioneer in the Bay district since 1837. He made the first survey of Yerba Buena.

14. Fitch was in Virmond's employ from 1826 to 1831. Then he settled in San Diego where he became prominent in business and in politics.

15. Probably the German whaler, *Alexander Barclay*.

16. A detachment from the United States squadron occupied Monterey for thirty hours on the twentieth and twenty-first of October, because Commodore Thomas ap Catesby Jones believed that a state of war existed and that the British were about to take California. The *Clarita* was one of the vessels temporarily seized. According to Farquhar, Vischer was instrumental in shortening the American occupation: "Vischer, however,

having just come from Mexico, had later news than Jones and he was soon released and the flag hauled down." Farquhar, *op. cit.*, p. 3. Edhelyertha was another eyewitness of the conflict. In quaint English and with the usual inaccurate spelling of names, the manuscript of the "King's Orphan" contains the following entry: "Mr. Fischer who had been the head management of the com. affairs jointly with Célis despatched immediately to St. Barbara for to prevent the brig of Viomond also to fall in the hands of the enemy."

17. The new Governor with his soldiers, many of them former convicts, arrived at San Diego on the twenty-fifth of August. He became civil and military governor on the first of January 1843, and remained in Los Angeles until July of the same year. Cf. Vischer's interesting account of the *cholos* in the Appendix.

18. John Wilson, a native of Scotland, was master of several vessels between 1826 and 1845, and since 1839 was also a respected businessman of Santa Barbara.

19. Francisco García Diego.

20. The boys were Wilson's stepsons, bearing their mother's name, Pacheco.

21. Célis had been in Virmond's employ since 1836. He became very wealthy and returned to Spain in 1853.

22. Gold was accidentally discovered on the San Francisco rancho in March 1842. The mine yielded only moderate returns and was practically abandoned in 1846.

23. Asphaltum or bitumen.

24. Known as Juan Domingo, one of the three men saved from the *Danube* which was wrecked off San Pedro in 1830. Harris Newmark calls him Johann Groningen, a Hollander by birth. Newmark, *Sixty Years in Southern California* (New York, 1930), p. 238.

25. Doubtless Cesareo Lataillade, a Spaniard of French descent, who later settled at Santa Barbara.

26. Tomás Eleuterio Esténega was in charge of San Gabriel from 1833 until his death. Bancroft reports that the Padre was involved in all sorts of trouble. *Op. cit.*, II, 792, 629. He had nothing to do with the iron fence. (See Note 29.)

27. Except for the colorful description which Alfred Robinson gives in the third chapter of his *Life in California* (New York, 1846), Tomás Yorba is rarely mentioned in the annals of California. It is fascinating to compare Vischer's account with that of Robinson, who traversed this part of the country in 1829 and was equally as observant and realistic in his reports.

28. Gerónimo Boscana, according to Bancroft, was at San Juan Capistrano from 1814 to 1826, and at San Gabriel from 1826 to his death in 1831. He is buried at the latter place. An English translation of *Chinigchinich*, his account of the Indians, was published in 1846 as an appendix to Robinson's *Life in California*, but later editions of the book do not contain Boscana's essay. It was reprinted separately in 1933 by the Fine Arts Press, of Santa Ana, California.

29. José María de Zalvidea was at San Gabriel from 1806 to 1826, at San Juan Capistrano from 1826 to 1842, and at San Luis Rey from 1842 to 1846. Bancroft describes him as a model missionary but eccentric, and in his last years probably insane. It was he who was removed from San Gabriel allegedly because he wanted to protect his vineyard with an iron fence. Bancroft, *op. cit.*, 620-21, 783.

30. There were several Sepúlveda ranchos south of Los Angeles. This was probably San Pascual of which Enrique Sepúlveda was grantee in 1840.

31. Antonio Peyri established the mission in 1798, and was in charge until 1832. Vischer had probably met him in Mexico.

32. A Spanish merchant whom Vischer had probably met at Lima. In 1846 he favored the United States, and in 1849 he was a member of the constitutional convention, representing San Diego.

33. José Antonio Estudillo was administrator of the mission from 1840 to 1843.

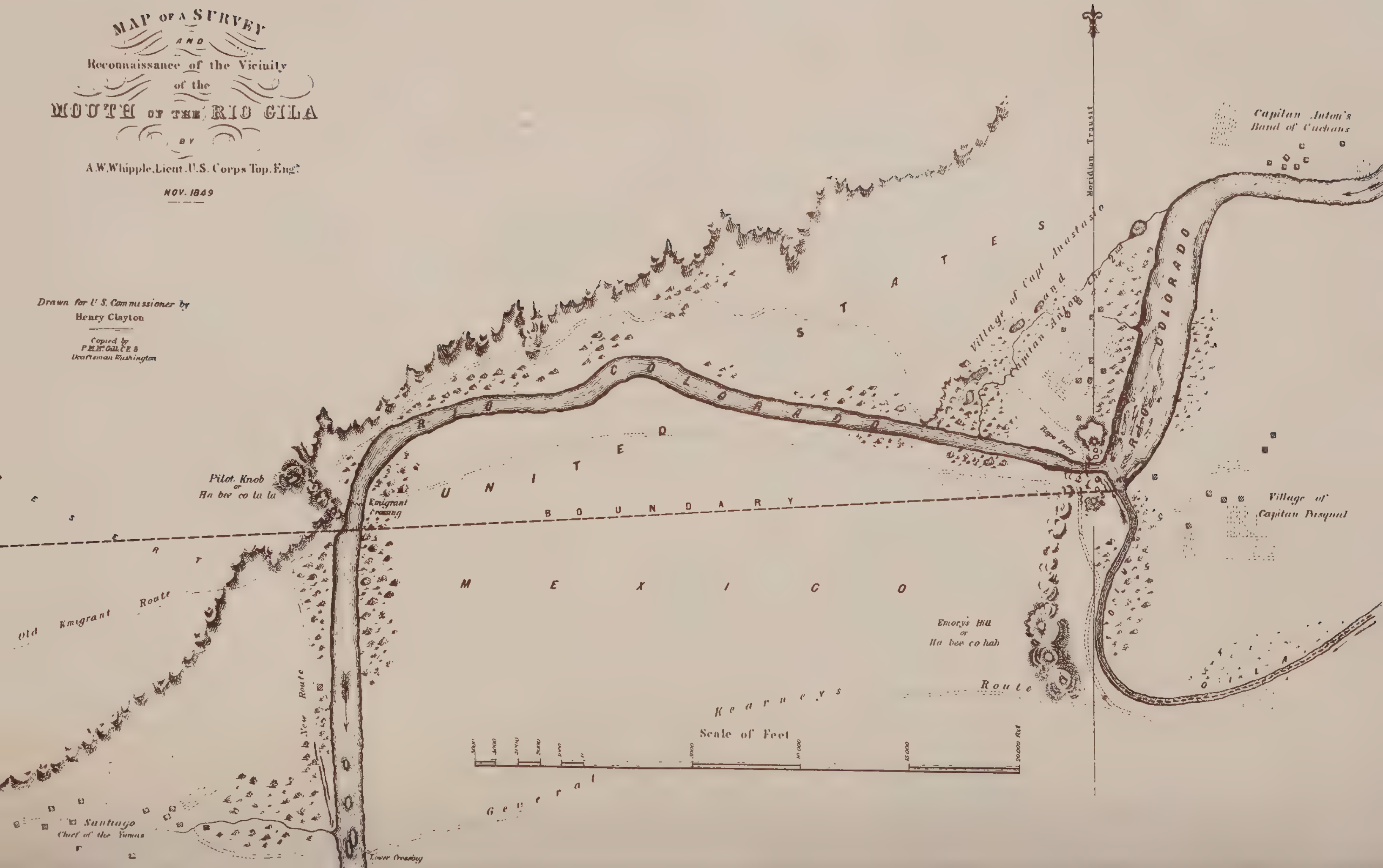
34. Probably Edward Stokes who settled in California in 1840 and was later grantee of the Pamo and Santa Isabel ranchos.

35. Joseph F. Snook had been in Virmond's employ since 1824. According to Bancroft he was master of the *Catalina* from 1833 to 1839, but from 1840 to 1842 he commanded the *Jóven Guipuzcoana.*

36. The captain of the *Alert* was William D. Phelps. Bancroft thinks that Phelps had really no intention of winning military laurels but was afraid that Micheltorena would seize his valuable cargo. *Op. cit.*, IV, 320, 775-76.

37. Christian Hansen was master of the *Catalina* from 1840 to 1842.

38. As much as the "King's Orphan's" account differs from Vischer's in other respects, the dramatic scenes on the trip, the death of the officer, the attempted mutiny, and the terrible storm are narrated with equal vividness by both men, and their accounts agree in most details. Vischer's remark that not all were necessarily criminals was probably influenced by his fellow passenger's sympathy for the poor wretches. He was "struck by the superior intelligence of their faces," and tells the sentimental story of Francisco Mendoza, one of the convicts, and his heroic wife, Linda. According to Cooper's log (see Note 5), the officer's name was José Maria Sarmiento. He died on the thirteenth of September, and two days later Cooper "committed the body of the Dead to the Deep having began to smell quite strong."



MAP OF A SURVEY
AND
Reconnaissance of the Vicinity
of the
MOUTH OF THE RIO GILA
BY
A. W. Whipple, Lieut. U.S. Corps Top. Engrs.

NOV. 1849

Drawn for U. S. Commissioner by
Henry Clayton

Copied by
P. M. McGill, C. E. &
Draftsman Washington

Meridian Transit
Capitan Anton's Band of Cuchans
Village of Capitan Pasqual
Village of Capt Anastasio and Capitan Antonio Chesa
RIO COLORADO
RIO GILA
Rope Ferry
UNITED STATES
BOUNDARY
MEXICO
DESERT
Pilot Knob or Ha bee co la la
Emigrant Crossing
Old Emigrant Route
New Route
Emorys Hill or Ha bee co hah
Kearneys Route
General
Santiago Chief of the Yumas
Lower Crossing
Scale of Feet
5000
10 000
15 000
20,000 Feet

A Note on the Southern Boundary of California

By FRANCIS SEELEY FOOTE

IT MAY SURPRISE many to learn that only a few years ago the State of California officially claimed that a part of the city of Yuma, Arizona, lay inside the boundaries of California. This claim resulted from the use of an inaccurate map some ninety years ago.

The treaty of peace that ended the war between the United States and Mexico, concluded at Guadalupe Hidalgo on February 2, 1848, gave California permanently and formally to the United States. This treaty defined the line between California and Lower California as a straight line connecting a point "one marine league" south of the most southerly point of the Port of San Diego with the junction of the Gila and Colorado rivers.[1] Although the Colorado at that point flows north of west, with the Gila entering from the south, the Disturnell map, used by the treaty negotiators, shows the Colorado flowing to the south, with the Gila entering from the east.[2] When the wording of the treaty was applied to conditions on the ground, by the joint commission appointed to mark the boundary, the straight line running westward from the junction of the Gila and Colorado rivers was found to run south of the latter river, crossing it some six or seven miles down the river and placing the area south of the Colorado and north of the straight line within the United States.

The constitution of 1849 of the State of California, approved by Congress in September 1850, states that the State boundary runs "down the middle of the channel of the said river [the Colorado] to the boundary line between the United States and Mexico as established by the treaty of May 30, 1848; thence running west and along said boundary line to the Pacific Ocean, ..."[3] That wording made the straight line westward from the mouth of the Gila River the State boundary line and included the segment-like area south of the Colorado as part of California. Maps of that time so show the State boundary.[4]

By the Gadsden Purchase of 1853, an area south of the Gila and south of this approximately six miles of the straight line boundary was added to the United States. This new area became a part of the Territory of New Mexico, and later of the Territory of Arizona. In the twenty to thirty years following the events described above, that is by 1870 or 1880, the Colorado River rather than the straight line came to be regarded as the boundary between California and Arizona.

On May 11, 1921, the California legislature authorized the attorney general of the State to take any necessary steps to protect the rights of the

State to land within its boundaries, with particular reference to the land south of the Colorado River and north of the prolongation of the international boundary,[5] and, on May 3, 1923, appointed a commission to confer with representatives of Arizona with regard to the matter.[6] That commission appears not to have functioned and no report from it can be found. In 1921, the legislature also directed the surveyor general of the State to define the boundary at this southeastern corner of the State.[7] That definition of the boundary was published by the surveyor general under date of February 21, 1922, and declares the straight line to be the true boundary, citing the State constitution, the treaty of Guadalupe Hidalgo, and the early land office plats.[8]

No further action appears to have been taken and there the matter rests—and maps since published continue to show the State boundary as following the Colorado River.[9]

NOTES

1. Malloy, William M., *Conventions, International Acts, Protocols, and Agreements, 1776-1909,* 61st Cong., 2d sess., S. Doc. 357 (1910), p. 1109.

2. *Mapa de los Estados Unidos de Méjico, segun lo organizado y definido por las varias actas del Congreso de dicha Republica: y construido por las mejores autoridades.* Lo publican J. Disturnell, 102 Broadway, Nueva York. 1847. Revised edition. At least twenty-three editions of Disturnell's map of Mexico were published, beginning in 1846. The one attached to the treaty was the seventh edition, the earliest of seven published in 1847. Lawrence Martin, *Disturnell's Map,* Washington: U. S. Government Printing Office, 1937 (reprinted from Hunter Miller, ed., *Treaties and Other International Acts of the United States of America,* Vol. V, 1937), pp. 341, 345, 349.

3. John Ross Browne, *Report of the Debates in the Convention of California on the Formation of the State Constitution in September and October 1849* (Washington, 1850), Appendix, p. xi. See also *Constitution of the State of California and of the United States* (Sacramento: Supervisor of Documents, 1938).

4. See *United States General Land Office, Plat of Township 16 South, Range 22 East, San Bernardino Meridian,* approved February 6, 1857.

5. *California Statutes* (1921), 2242.

6. *Cal. Stats.* (1923), 194.

7. *Cal. Stats.* (1921), 1059.

8. *Biennial Report of the Surveyor General of the State of California for the Term Ending August 1, 1922* (Sacramento, 1922), p. 11.

9. See Lewis B. Lesley, "The International Boundary Survey from San Diego to the Gila River, 1849-50," in this QUARTERLY, Vol. IX, No. 1 (March 1930), for an account of the difficulties experienced by the surveyors in establishing the point of junction of the Gila and Colorado rivers.

Changes in the Popular Concept of "California"

By Lynn Townsend White, Jr.

THE Biblioteca Vittorio Emanuele in Rome preserves what may well be the only surviving copy of the anonymous *Il Selvaggio di California, farsetta per musica a sei voci, da rappresentarsi nel Teatro Pallacorda nel Carnevale dell'anno 1790* [*The Wild Man from California, a musical farce for six voices to be presented at the Pallacorda Theatre during the Carnival season of the year 1790*] (Roma, nella Stamperia di Michele Puccinelli a Tor Sanguigna), 63 pp. in 16°. The *imprimatur* was given by F. X. Passeri, titular Archbishop of Larissa.

This libretto, which is slender in the extreme and without literary value, concerns the love of a shepherdess named Sylvia for Villotto, the wild man from California, brought to Italy by the Cavaliere Lisandro, who is just returned from a three-year tour of North America. The only passage of more than curious interest occurs on page 8:

Cav.: I have a man with me
Who will amaze you with his grace:
Born in the peninsula
Of California . . .
Aurora (fiancée of Cav.):
Horrors! What an ugly name!
California . . .
Claret (unsuccessful suitor of Sylvia, showing off):
Ah yes! California!
Beg pardon, Ma'm,
One has only to know a little orthography:
Everyone knows of it. It lies in the icy sea
And on one side it is bounded
By the Low Countries.[1]

Naturally the popular geographical literature of the eighteenth century mentions California, and the Jesuit, Franciscan and Dominican missions there had received a certain amount of publicity, especially, perhaps, in Rome, the seat of the Church. But this operetta would seem to be the earliest evidence yet discovered indicating familiarity with California and its location among the general populace anywhere in Europe. For unless the carnival audience in Rome before which this farce was performed in 1790 knew at least vaguely where California was, Claret's bragging would lose much of its point. And clearly, the audience thought California was a peninsula.

Probably no other geographical expression has suffered so many mutations in the popular mind as has "California." It first appears in Europe late in the eleventh or early in the twelfth century in that greatest of feudal epics, the *Song of Roland*, line 2924.

> Hereafter shall the Saxons rebel against my grace,
> And the Huns and the Bulgarians and many another race,
> The Romans and Apulians, and the men of Sicily,
> And whosoe'er in Afric and Califerne there be.[2]

Since Miss Ruth Putnam listed the proposed etymologies of Califerne-California in 1917,[3] scholars have not failed to rack their brains over the problem. The great French mediaevalist, P. Boissonade,[4] suggests that *Califerne* is derived from the *Kalaa* (stronghold) of the *Ifrene*, a Berber confederation which ruled much of Algeria in the tenth and eleventh centuries. T. A. Jenkins,[5] of the University of Chicago, believes it to have been the region of Aleppo in Syria, between the rivers *Chalus* and *Ferne*. Most recently the eminent Belgian Byzantinist Henri Grégoire[6] has maintained that *Califerne* is merely the island of *Cephalonia* transformed by metathesis and by the necessity of making a rhyme with *Palerne!*

We may be certain, however, that the knights and ladies who heard of Califerne from the jongleurs were as little interested in etymology as were the Spanish conquistadores who had read of California in Garci Rodriguez de Montalvo's very popular romance *Las Sergas de Esplandian*, published about 1510. To them California was a land of Orient with fantastic attributes which have been somewhat clarified by a learned authority on Iranian mythology, A. J. Carnoy.[7] Califerne, he asserts, is the Persian *Kar-i-farn*, "Mountain of Paradise." On this mountain dwelt enormous birds, half eagle and half lion, in the West generally called griffins. In ancient writings describing Eastern marvels the land of the Amazons is often located in the same region as this mountain of griffins. In the first decade of the sixteenth century Montalvo reflects this complex tradition in his famous description of California:

> Know, that on the right hand of the Indies there was an island called California, very close to the Earthly Paradise, which was peopled with black women, without any man among them, who lived almost in the manner of the Amazons. . . . In this island called California, because of the great ruggedness of the country and the innumerable wild beasts that lived in it, there were many griffins, such as were found in no other part of the world.[8]

In the course of the story, which concerns a siege of Constantinople by the Californian feminists, these griffins act as an auxiliary air force, and play a most spectacular part.

Such was the stuff floating in the minds of the Spanish explorers who set out from Mexico into the South Sea and soon found what they thought was an island, assuredly "on the right hand of the Indies." In the surviving records the term "California" seems first to have been applied to the tip of Baja California in October 1541, by Francisco de Bolaños, but, as H. R. Wagner remarks, "for what reason we do not know."[9] Why, out of the infinity of possible names, was this one selected? One is tempted to believe that the choice was inspired by a sight of the California condor[10] which of all birds would surely suggest the legendary griffin: indeed one of its early scientific names was *Pseudogryphus californianus*.[11] This largest of flying creatures (rivalled in size only by its Andean cousin, *Vultur gryphus*), was unknown on the Mexican mainland, and must have astonished the Spaniards, who spontaneously would name the new land after Montalvo's isle of griffins. Such an hypothesis would explain Bisselius' insistence, in 1647, that in California "griffins (*gryphes*) are found; and this is not a fable but the truth."[12]

Although the "Isla de California" and the "Islas Californias" were still mentioned as late as 1550, explorers penetrating up the Gulf of California had discovered as early as 1539 that the supposed island was in fact a peninsula.[13] However, from 1605 onward the peninsular concept of California was gradually lost,[14] and by 1700 practically all maps showed it as an island, while even in Mexico it was believed to be such. Father Eusebio Francisco Kino, however, evangelizing Sonora, came to believe that there was land connection between that region and California. In 1705 a map was published incorporating that view; and although the insular theory was not destroyed for the second time by actual exploration until 1746, nevertheless after 1705 most maps returned to the notion of a peninsular California.[15] By 1790 the Roman man-in-the-street evidently shared Kino's opinion.

The extension of "California" from the peninsula to the coast northward appears not to have been studied carefully. The earliest maps generally name this region Quivira or Nova Albion, although reluctance among the Spaniards to accept Drake's baptism of a land they considered their own doubtless encouraged a wider connotation for the term "California." Yet although López de Haro's map in 1788 includes even southern Alaska in "California,"[16] two years later, Aaron Arrowsmith, an Englishman, uses "New Albion" for the present Alta California.[17] Even as late as 1803 his compatriot, James Burney, seems reluctant to extend "California" beyond the peninsula.[18]

The division between Baja and Alta California first appears clearly in 1701 in the chronicle of Father Kino,[19] but for a century or more the popular mind thought of California as a unit, and primarily as peninsular. In 1786 Clavigero finished his *Storia della California;* but the subsequent change in the general concept of California forced the publishers of the Spanish version of 1852 to alter the title to *Historia de la Antigua ó Baja California.* The title of Father Palóu's book finished in 1783 uses the term *Nueva California* for the northern region, while in 1787 he prefers *California Septentrional.* The nomenclature was still fluid in the middle of the nineteenth century: in 1850 Hypolite Ferry writes, "La vaste contrée située à l'oueste de l'Amerique septentrionale, et connue sous la double dénomination des deux Californies (ancienne et nouvelle), s'étend le long de l'océan Pacifique entre le 25° 52′ et le 42° degré de latitude nord."[20] But history moved swiftly: *Nueva* and *Septentrional* soon vanished; *Alta* became more associated with journalism than with geography. After the Gold Rush of '49, "California" was, in the mind of the world, San Francisco, the Great Valleys and the Sierra.

The twentieth century, however, has wrought further change in the popular concept of "California." Just as Alta California grew from Baja and eclipsed it, so a new and distinctive region has appeared between these two older areas: a California Central—miscalled "Southern" California—stretching from San Diego to the Tehachapi, Tejon and Gaviota passes. So vigorous and unreticent is its population that a traveling Californian is constantly reminded that to most Americans, and even to many Europeans, California is primarily Los Angeles and Hollywood! The popular mind has recognized a fact which our maps do not yet record: that there are no longer two Californias, but three.

Surely no other name in the atlas has passed through such vicissitudes as "California"! To begin as a mythical mountain of griffins; to add the attributes of an Amazonian isle; to appear on the map first as an island, later as a peninsula, and then to repeat the process; to creep northward absorbing a vast coastline; to break into two sections and finally into three: this is the fate of "California"!

NOTES

1. *Cav.:* "Un uomo ho meco
Che vi farà stupir per la sua grazia:
Nato nella Penisola
Di California. . . .
Aurora: "Oibò: che brutto nome!
California. . . .
Claret: "Ma California,
Perdonate Madama,
Basta a sapere un pò d'ortografia
É nota a tutti. Sta nel mar gelato,
E confina da un lato
Con i Paesi bassi."

2. "Encuntre mei revelerunt li Saisne
E Hungre e Bugre e tante gent averse,
Romain, Pullain e tuit cil de Palerne
E cil d'Affrike e cil de Califerne."

Text from the edition of Giulio Bertoni (Florence, 1935), p. 284; translation by Leonard Bacon (New Haven, 1914), p. 118. The name *Califerne* is not a misreading: it is clearly legible in *La Chanson de Roland, reproduction phototypique du Manuscrit Digby 23 de la Bodleian Library d'Oxford* (Paris, 1923), folio 53 recto.

3. Ruth Putnam, "California: the Name," *University of California Publications in History*, IV (1917), 356-62.

4. Prosper Boissonade, *Du Nouveau sur la Chanson de Roland* (Paris, 1923), pp. 159-62. Boissonade's hypothesis was called to the attention of Californianists by Herbert D. Austin, "New Light on the Name California," *Publications of the Historical Society of Southern California*, XII, iii (1923), 29-31.

5. Thomas Atkinson Jenkins, *La Chanson de Roland* (New York, 1924), p. 204.

6. Henri Grégoire, "La Chanson de Roland et Byzance: Califerne," *Byzantion*, XIV (1939), 309-11.

7. Albert Joseph Carnoy, "Paradis d'Orient—Paradis d'Occident," *Le Muséon*, XXXV (1922), 213-39. On the more remote ancestry of the griffin, see Henri Frankfort, "Notes on the Cretan Griffin," *Annual of the British School at Athens*, XXXVII (1936-37), 106-22.

8. "Sabed que á la diestra mano de las Indias hubo una isla, llamada California, muy llegada á la parte del Paraíso Terrenal, la cual fué poblada de mujeres negras sin que algun varon entre ellas hubiese, que casi como las amazonas era su estilo de vivar. . . . En esta isla, California llamada, habia muchos grifos, por la grande aspereza de la tierra y por las infinitas salvajinas que en elle habitaban, los cuales en niguna parte del mundo era hallados." *Las Sergas*, Ch. 157. The text is most easily available in the *Biblioteca de autores españoles*, XL: *Libros de caballerias*, ed. by Pascual de Gayangos (Madrid, 1857), 539.

9. Henry Raup Wagner, *Cartography of the Northwest Coast of America to the Year 1800* (Berkeley: University of California Press, 1937), I, 41, and cf. 32.

10. Joseph Grinnell, "Distributional Summation of the Ornithology of Lower California," *University of California Publications in Zoology*, XXXII (1928), 106, does not report the condor in Baja California before 1889 or record it south of about 30° north latitude. However, the range of the condor is known to have narrowed so greatly in Oregon and Alta California within the past century that we are safe in assuming some contraction in Baja California as well; cf. William Lovell Finley, "Historical Data and Range of the Condor," *The Condor: A Mazagine of Western Ornithology*, X (1908), 8. In any case Ulloa's expedition in 1539-40 had the opportunity to see the condor, since he explored the entire eastern coast of the peninsula and the Pacific side as far north as latitude 30°; cf. H. R. Wagner, *Spanish Voyages to the Northwest Coast of America in the Sixteenth Century* (San Francisco: California Historical Society, 1929), p. 14. Mr. Harry Harris, of Eagle Rock, California, who has long studied the condor, informs me that the earliest mention of the great birds which he has discovered is by Fray Antonio de la Ascension, *The Voyage of Sebastian Viscaino to the Coast of California* (San Francisco: Book Club of California, 1933), pp. 31-32, who saw them at Monterey in 1602. Not a single early Spanish or Jesuit reference to the condor in the peninsula has been found, although it surely ranged there.

11. This term was first applied without explanation in 1874 by Robert Ridgeway, *History of North American Birds* (Boston), III, 338. The common name "griffon vulture" for the Mediterranean *Gyps fulvus* may be even older than the designation *Vultur gryps gryphus* applied to the Andean condor about 1750 by the great German zoologist, Jacob Theodor Klein, a nomenclature adopted by Linnaeus in the greatly expanded tenth edition to his *Systema Naturae* (Stockholm, 1758), I, 86. In the twelfth edition (Stockholm, 1766), I, 121, Linnaeus incautiously adds such travelers' tales of the griffin-like prowess of the Andean condor as may have suggested Klein's terminology: "Praedatur vitulis, ovibus, immo pueris decennibus; binae aves vaccam dilacerant vorantque."

12. Joannes Bisselius, *Argonauticon Americanorum*, cited by George Davidson, "Origin and Meaning of the Name California," *Transactions and Proceedings of the Geographical Society of the Pacific*," Series 2, VI (1910), 31.

13. Wagner, *Cartography*, I, 19.

14. Charles Edward Chapman, *Founding of Spanish California* (New York, 1916), p. 9, note 11, traces the reasons of this relapse.

15. Wagner, *Cartography*, I, 144-47; cf. also his "Some Imaginary California Geography: California as an Island," *Proceedings of the American Antiquarian Society*, XXXVI (1926), 102-29.

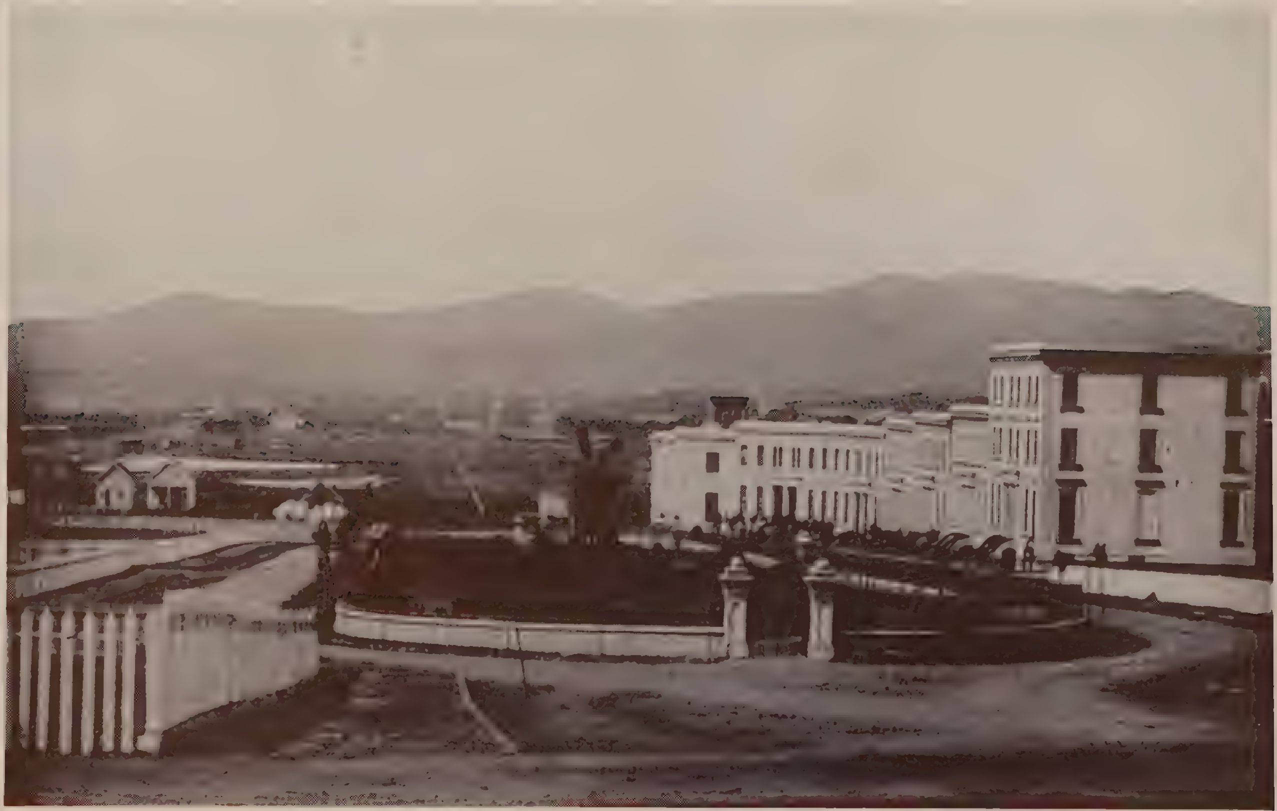
16. Wagner, *Cartography*, I, plate XXXV.

17. *Ibid.*, plate XXXVI.

18. James Burney, *Chronological History of the Discoveries in the South Sea or Pacific Ocean* (London, 1803), I, 178.

19. *Kino's Historical Memoir of Primería Alta*, translated by Herbert Eugene Bolton (Cleveland, 1919), I, 339. The distinction between the two Californias seems to have had no practical importance until 1773 when the Dominicans took over the missions of Baja California from the Franciscans. In 1848, Article V of the Treaty of Guadalupe Hidalgo adopted this delineation of ecclesiastical jurisdiction as the international frontier between "Upper" and "Lower" California.

20. Hypolite Ferry, *Description de la Nouvelle Californie* (Paris, 1850), p. 5.



SOUTH PARK, SAN FRANCISCO, 1856

From a photograph presented to the Society by Mrs. Henry N. Kuechler

"San Francisco Society"

From THE ELITE DIRECTORY *of 1879*

With an Introduction by DOROTHY HARRIET HUGGINS

INTRODUCTION

ON THE California Historical Society's shelves, among the more businesslike and drab city directories, stands a small, bright-blue-cloth-bound volume with "The Elite Directory 1879" inscribed elegantly in gold on its spine and, floating diagonally at some distance beneath this, a pair of gold opera glasses. On the front cover a representation of a visiting card, outlined in gold and with the upper left hand corner turned down (meaning "congratulations," according to the text within), displays the same title. The title page adds the information that the directory includes both San Francisco and Oakland and that it is "a residence address, visiting, club, theatre and shopping guide, containing the names of over six thousand society people." A quotation, "Society is no comfort to one not sociable," follows this, and, at the bottom of the page, the imprint, San Francisco: The Argonaut Publishing Company, 1879. The book was printed and bound by A. L. Bancroft & Co. The preface, headed "Noblesse Oblige," claims for the volume that it is merely "a book of reference, written and compiled and published without any intention to draw any hard and fast lines of respectability or fashion, or to discriminate in any way between the social rights or position of our people. To attempt this would be invidious—would be folly— . . . . So, too, would be an attempted definition of polite society."

This, apparently the first of San Francisco's social directories or "blue books," was followed in 1884 by *The Social Manual of San Francisco and Oakland*, published by The City Publishing Company and printed by the Bosqui Engraving and Printing Co. Bright blue cloth also forms its covering, but the gold lettering is even more ornate and the opera glasses are replaced by an escutcheon displaying the words, "Noblesse oblige." On the title page, instead of the short quotation given above, the following lines appear:

> From yon blue heaven above us bent
> The gardener Adam and his wife
> Smile at the claims of long descent.

The "Table of Contents" of the 1879 directory includes the headings: Noblesse Oblige, San Francisco Society, Reception Days, Calling and Address List, Jewish Address List, Oakland Address List, Private Memoranda, Army Calling and Address List, Navy Calling and Address List, Permanent Guests at Hotels (Palace, Grand, Occidental, Lick, and Baldwin), Bar Association, Art Association, Loring Club, Berkeley Club, Chit-Chat Club, Clubs and Club Life, Pacific Club, Union Club, Bohemian Club, Occidental Club (Oakland), San Francisco Verein, Concordia, Spanish-American Club, Olympic, Theatre Diagrams (California, Baldwin, Bush Street, Standard, and Grand Opera House), Points of Etiquette (Introductions, Salutations, Calls and Calling, Strangers in the City, Visiting and Visiting Cards for Ladies, Card and Visiting Customs for Gentlemen, General Directions for Cards and Calling, The Kettle-drum, Parties, Balls and Germans, Dinners and Dining Out, Breakfasts, Luncheons and Suppers, Etiquette of Weddings, Opera and Theatre Parties, Theatre Etiquette for Gentlemen, Ladies' Theatre Invitations, Miscellaneous Rules), Personnel of the Press, Church Directory, Public Schools, and Business Notices.

The 1884 "Manual" substitutes a "Supplemental Address List" for the "Jewish Address List," and "Rise and Progress of Clubs" for "Clubs and Club Life," and adds the Cosmos Club, the Deutscher Verein and Le Cercle Français, but omits the Spanish-American and Olympic clubs. In Oakland, the Athenian Club takes the place of the Occidental Club. The "Rules of Good Breeding" are almost identical with the "Points of Etiquette" of the earlier directory, except that the following subheadings have been added: Riding and Driving, In the Carriage, Etiquette in Church, Hints to Both Sexes, The Dress Coat, The Toothpick, The Inside of the Walk, Of Gifts, Smart Sayings, Temper, How to Please, and Yourself.

By 1888, "Society" had become such an important factor in San Francisco life that two social directories were issued in that year: *The San Francisco Blue Book*, published by The Bancroft Company, and *Our Society Directory*, published by the J. Dewing Co. Neither of these, however, contains "Points of Etiquette" or "Rules of Good Breeding." Possibly by that time all the "élite" were thoroughly cognizant of the fact that "should anyone wish to avoid a bowing acquaintance with a person who has once been properly introduced, he may do so by looking aside, or dropping the eyes as the person approaches, for if the eyes meet there is no alternative," and that one should "never give the cut direct unless for some inexcusable rudeness. It is better to meet a recognition coldly." That "bowing once on a public promenade is all that civility requires. At the second meeting if you catch the eye of your acquaintance, smile slightly. If the gentleman is an acquaintance, it is better to avert the eyes." By that time perhaps every lady knew that she might "permit a gentleman who is walking with her to carry any very small parcel that she has, but never more than one." A gentleman also was aware that he must "not smoke when driving or walking with ladies, nor on promenades much frequented," nor "enter the presence of ladies smelling of tobacco." That in inviting a lady to accompany him "to the theatre, opera, a concert, or any other public place of amusement," he should "send the invitation the day previous to the one selected for taking her, and write it in the third person"; and if he is inviting her for the first time, he should "include her mother, sister, or some other lady in the invitation." Both knew that one should "never allude to a present you have given. Be careful even to seem not to recognize it when you see it again."

Other rules, too, needed no repetition:

> A lady may recognize a gentleman who has been formally presented to her, even when he cannot recall her face on account of the difference of appearance made by the change from gaslight to daylight. His acknowledgment of her recognition must be as respectful as to a valued friend.
>
> The same formalities obtain at entertainments. The gentleman, who is a formal acquaintance, waits patiently for the lady guest to recognize his presence.
>
> When calling, gentlemen leave their umbrellas, overcoats, and overshoes in the hall; but take their hats and sticks with them into the drawing-room, unless they are calling on old friends. The hat and stick should never be deposited upon a chair or table, or any other article of furniture. They can be placed upon the floor, very near the chair occupied by the owner, if he does not wish to retain them in his hands. . . . . If the call be a hasty one he seldom seats himself, but takes leave soon after another gentleman enters. The lady retains her seat and bows her *adieux*, without extending her hand a second time. Hand-shaking is falling into disuse in ordinary visits.
>
> A lady never accompanies a gentleman to the door of the drawing-room, much less to the vestibule, unless she has a profound respect for him. She introduces him to no one unless there is a special reason for the formality, but he converses with her guests as if he had met them before.
>
> No after recognition is warranted between gentlemen, or between ladies, and certainly not between a lady and gentleman, until they shall meet again in the drawing-room, when the gift of mutual speech is resumed.

Or could it be that by that time all the rules and regulations had been scrapped entirely, and "Society" now proceeded without guidance? Was it possible that one no longer turned the upper right hand corner of a card to imply a visit? Or the upper left hand corner to imply congratulations; the lower right corner, adieu; the lower left, condolence; or the entire left end to mean a call on the family? Or that "kettle-drums" were no longer *de rigueur?*—a kettle-drum, as everyone knew, being

> . . . . a light entertainment with *demi-toilette* for both ladies and gentlemen. It is said to have originated in garrisons in England and India, where a drumhead is often made to do duty for a tea-table. They have become popular in metropolitan social circles, where ladies of fanciful disposition have provided little exercises suggestive of afternoon parties in camp. Sometimes a tiny drum is beaten at intervals in the vicinity of the tea-table, where a lady of the household, or a favorite friend, presides.
>
> Sometimes a young lady, costumed as a *vivandière*, sits or stands by the tea-urn as its presiding genius. These picturesque additions to an afternoon reception are often very pleasing.
>
> . . . .
>
> At a "kettle-drum," after the formal salutations are made, if there be not a crowd of guests, a tray with tea, cream and sugar is presented almost immediately by a domestic, and another servant offers simple refreshments to accompany it. If the rooms be filled, the guest is asked to seek tea at the table where it is served. Some hostesses invite a bevy of young society girls of their acquaintance to serve her guests with tea and refreshments,

and to entertain them while they are eating; and they often wear coquettish caps, pretty aprons and short dresses to show their slippers and gay stockings. Formal leave-taking at kettle-drums is not expected; as they are a condensation of calls, after-calls can be omitted.

It is not our purpose, however, to discuss the changes in rules of etiquette, nor to list the later editions of the social directories. We merely reprint here a chapter from the *Elite Directory* of 1879, and in the notes show some of the additions and differences found in the corresponding chapter in the *Social Manual* for 1884.

SAN FRANCISCO SOCIETY

Something of the pioneer lingers in the manners of all communities that have grown suddenly into wealth and greatness. It is the same in San Francisco, though there is less of the frontier element in our social composition than we might expect when we remember our small beginnings and our rapid progress. We are the result of the mining camp, and of such rude force and skilled energy as commonly seeks fortune in untried regions. Our social life is rich in its coloring, but tropical in its rankness. Our earlier and our later life are sharply contrasted. When California became part of the nation, San Francisco was a wilderness of sand and chaparral, with a few respectable adobe houses and scattering huts dotting the peninsula at wide intervals. The population was Spanish, with a few adventurous traders from the East and from European countries. The De Haros, the Valencias, the Noes and the Guerreros, lived in the little village that clustered about the Mission. The Castros, the Estudillos, the Vallejos, the Ainsas, the Bandinis, and the Noriegas, maintained rural state on ranchos scattered about the bay and at points in the interior. The social amusements were bull-fights and fandangos. Daily life was like the drowsy existence of the lotus-eaters. There was little more labor than was needed to procure the two essentials, food and shelter.[1] This silence was rudely disturbed by the advent of noisy, fortune-seeking, gold-hunting Americans, who began to come in large numbers in 1849. Few women came with them. Those in pursuit of gold scattered to the mountains; those who desired to obtain wealth without delving for it, established themselves in trade, or sought labor in the city. Life in the mining-camps has been depicted vividly, if not always with strict fidelity, by Bret Harte, and has been described a thousand times in public prints and in discourses before Pioneer societies.[2] Vice and crime flourished so rankly in the city as to make the swift judgment of the Vigilantes a blessing. The American women first seen in San Francisco were wives of soldiers. A few merchants' wives came in 1850, and a few more in 1851.[3] Places to shelter them were not numerous. One of the first houses suitable for feminine entertainment was the hotel at the corner of Kearny and Commercial streets, kept by Messrs. Hart, Joyce & Sullivan, which was burned in the fire of 1851. In 1850, vessels landed at the wharf[4] at the corner of Clay and Sansome, from which point the settlement extended westward up Clay, Washington and Sacramento streets. One of the first hotels which could pretend to be fashionable was the St. Francis, at the corner of Clay and Dupont, which furnished good entertainment and made extravagant charges therefor.[5] It was not much patronized after 1852. At the corner of Pike and Clay was a hotel kept by Henry Gordon Walton, whose intellectual wife was the author of the poem read at the celebration of California's admission as a State, on the nineteenth [29th] of October, 1850. On the opposite corner was the Garrett House, kept by Zeke Wilson, afterwards landlord of the Portsmouth, on Portsmouth Square.[6] These hotels entertained most of the male representatives of our aristocracy in the first two or three years of the city's history.[7] The Oriental Hotel, a large and convenient place of public entertainment for those primitive days, was built in 1851 at the intersection of Bush, Battery and Market streets. For six or seven years it was the center of fashion and sociability. Among the ladies who were its permanent guests were Mrs. Ira P. Rankin, Mrs. R. J. Vandewater, Mrs. Jacob Underhill, Mrs. Squire P. Dewey, Mrs. Garnett, Mrs. Henry Haight, Mrs. Robert Wakeman, Mrs. Frank Page, Mrs. A. A. Ritchie, Mrs. Henry Payson, and Mrs. Dr. Hitchcock, the mother of Mrs. Howard Coit. The Tehama House, at the corner of California and Sansome streets, where the Bank of California stands, was a rival of the Oriental Hotel, though having a different patronage.[8] Its corridors were brightened by the uniforms of dashing army officers, and loud with the disputes of politicians. Captain U. S. Grant came from his post at Trinidad, in Humboldt county, and, unaware of his future greatness, in Mexican sombrero and serape smoked the pipe of peace in contented taciturnity on its front steps; and "John Phoenix," the first humorist of the Pacific Coast, was for a long time its respected guest. There were other army officers who were its frequent patrons; among them General Sherman, General Wood, General Clark, Colonel Anderson,[9] Colonel Graham, Colonel Benjamin Beal—a great wit, Captain Whiting, Captain Folsom, Captain Gibson, Captain Burns, and H. A. Leonard, Army Paymaster for many years. The famous Mrs. Greenough and her daughter,[10] and the handsome Mrs. Samuel Ward were guests of the Oriental during the winter of 1854. The Brannan House, at the corner of Bush and Sansome; the Rassette House, which stood on the site of the Cosmopolitan; and the International, at the corner of Kearny and Jackson streets, were more or less noted as abodes of wealth and elegance during the same period. None of these hotels ever achieved the position so long and so honorably maintained by the Oriental.[11] The gay society of those early days danced to the music of the military and naval bands, had its assemblies, and listened, at Mr. Thomas Maguire's theatres, to the singing of Kate Hayes, Biscaccianti, and Madame Anna Thillon, and to the ravishing strains of Ole Bull.[12] The sexes were hardly in proportion, there being in attendance at these pioneer operatic performances perhaps one lady to twenty gentlemen. There were fashionable boarding-houses in the city, at which some of the bachelors of the period were entertained. At Mrs. Leland's, on California street, near Kearny, might be found Judge Botts, Judge Thornton, Governor Low, and Judge Hoffman; either then, or not long afterwards the wearers of these titles. At Mrs. Pettitt's next door, could be seen a pleasant set, of which Judge Heydenfeldt, Judge Woodruff, and Mr. Derby, a Boston gentleman of some fame, formed a part. An agreeable group of ladies and gentlemen made its headquarters at a large boarding-house built by Henry Meiggs, at the corner of Broadway and Montgomery streets.[13] The list of guests and visitors included Charles Webb Howard, then a young Green Mountain boy, with face as round and red as a Vermont pippin; Edward Goold and his wife, A. J. Moulder, and Mr. and Mrs. Tobin. In 1852, society began to crystallize. Its first efforts at local aggrandizement were on Stockton street, north of Washington, where there remain several stately houses as relics of primitive grandeur. In this neighborhood lived Captain Macondry and his family. One of his daughters married James Otis, afterwards Mayor of the city, and another Horace Davis, now Member of Congress. Mr. Samuel Herman was one of the local magnates. His daughters, Alice, Louise, and Estelle, married, in the order named, Mr. Palmer of New York, Hall McAllister and Bernard Peyton. The reminiscences of the locality are numerous. Dr. Maxwell had a lovely daughter, one of the belles of the day, who died at eighteen. Milton S. Latham lived on Stockton street, and entertained as elegantly if not as profusely as in later years. Hubert Sanders, distinguished for his hospitality, sailed from this port for Honolulu in the "Elvira Herbeck," and was never heard of afterwards. His daughter, a great beauty, married Alfred Wheeler. They lived on Lombard street; and next them resided the Darlings, at whose house Miss Lizzie C. Fry was married to William C. Ralston. Other well-remembered people were denizens of the neighborhood; among them John Middleton and the Gwins, who were elegantly domiciled at Wozencraft's, a fashionable boarding-house at the corner of Stockton and Washington streets. Mrs. Hitchcock resided at the same house before moving to better quarters at the Oriental. The Virginia Block, a large building at the corner of Stockton and Pacific, was associated with early wealth and elegance.[14] The skirts of fashion swept out over the adjoining regions, reaching even to North Beach.[15] Signs of gentility were very early seen at the Kremlin Hotel, on Stockton near Broadway, which afterwards became St. Mary's Hospital. Prospect Place was inhabited by ladies and gentlemen of fashion, and Powell street for several blocks north of Clay had an air of gentility. There was a knot of stylish people gathered on California street, west of Stockton, in 1853 and 1854. At the corner of Prospect Place and California, resided Mrs. Henry L. Dodge and Mrs. T. C. Banks,[16] and where David Porter's house stands was the cottage of Mrs. B. L. Brooks. All of these ladies were the wives of well-to-do business men, and their houses were agreeable places of social resort. The wealth and refinement of the period was not entirely confined to these neighborhoods. There were pretty cottages nestling among the chaparral and behind the sand hills in divers localities.[17] Judge Barrett built the picturesque house of many gables at the corner of Sutter and Stockton streets, which had for successive owners, Lucian Herman, Dr. Bowie and Mr. Clark of Clark's Point, its present proprietor. It is now known as the Tivoli Garden, and its sociability is convivial and bacchanalian rather than stylish and intellectual.[18] Mr. Gillespie, who came to San Francisco from China in 1847, built a house on Mission street between Sixth and Seventh, opposite the Yerba Buena Cemetery, which was afterwards owned by J. Mora Moss, and still later by Pioche.[19] No trace of it remains. Mr. Jacob Russ had a house at the corner of Harrison and Sixth streets. John Sullivan lived at the corner of Ellis and Stockton, and Henry Gherke at the corner of Eddy and Mason. Society showed an early tendency toward Rincon Hill and its environs. Among the first residences in that part of town was the old Folsom house on Second street, near Folsom, and the house of John Parrott on Folsom between Second and third, which that gentleman still occupies. The dwellings of W. D. M. Howard and Samuel Brannan were on Mission street between Third and Fourth.[20] The fashionable ladies of the Oriental Hotel used to visit them, crossing the hills near New Montgomery and Market to save time, and stopping in the friendly shelter of a manzanita bush, just before they reached their destination, to pour out of their lasting gaiters the sand, which rendered walking unpleasant, and the poetry of motion impossible.[21] The beaux of the period between 1851 and 1855, distinguished for personal grace and gallantry, were Ned Beale, George Pen Johnson [Johnston], Captain W. H. Moor, Charles Webb Howard, George Morgan, Ben Smith, William Botts, Edward Pringle, Joseph Donahoe [Donohoe], Archie Peachy, John B. Felton and Sam. Ralston.[22] Charley Strong was a wealthy bachelor, who had elegant rooms over Le Count's bookstore,[23] where he entertained his friends. Society in San Francisco for the first four years after the admission of California as a State is described by early residents as animated and brilliant. The city was full of bright, intellectual, energetic people. Most of them were young, hopeful, and romantic. Their social intercourse had the polish of older communities, mingled with the dash and freedom of the frontier. Houses[24] were well furnished, and balls, parties and receptions were stylish, without disagreeable formality. In 1854 and 1855, South Park and Rincon Hill became social centers.[25] The change was partly the result of speculation. George P. Gordon, a wealthy Englishman, purchased of Squire P. Dewey several blocks of land, and created South Park. It was the original intention to lay it out in four sections, but only two were completed. the part finished was built up with substantial houses, and for a while there was little that was stylish or correct in the city except in its vicinity.[26] Its principal residents were Captain A. A. Ritchie, George C. Johnson, Consul General of Sweden and Norway; Horace P. James [Janes], Judge Wallace, Lloyd Tevis, I [J]. B. Haggin, James Otis, John F. Osgood, Martin Klinkofstrom, Russian Consul; George P. Gordon, Charles De Ro, Thomas J. Poulterer, John H. Reddington [Redington], William M. Gwin, Commodore J. T. Watkins and Captain Richard Whiting. On Bryant street, near by, lived Louis McLean [McLane] and B. F. Washington, Collectors of the port of San Francisco. Rincon Hill was covered with residences a little later. Among the first, and still among the most conspicuous, was the house of General Halleck, at the corner of Second and Folsom streets,[27] occupied at present by Colonel Granniss. William F. Babcock built, at a very early day, the dwelling which he still occupies, at the corner of Stanley Place and Essex. The boundaries of South Park and Rincon Hill were never well defined, the neighborhood including Second, Bryant, Harrison, and some adjacent streets and places. Within these limits lived Bishop Kip, P. [Peder] Sather, Frank Randall, J. W. Tucker, John O. Earl, Benjamin Horne, Thomas H. Selby, H. W. Carleton, A. B. Forbes,[28] and many other people of wealth and quality. This was nearly twenty-five years ago. Young ladies were not as plentiful then as now, but the few who were in society were more observable. The best known, from the year 1852 to 1857, were a trio sometimes called "the Three Graces," but more commonly known as "the World, the Flesh, and the Devil,"—Miss Rosa Gore, Miss Lottie Hall, and Miss Patsey Ritchie. There was no merry-making at which they were not present, and no mischief brewed to which they did not add some ingredients. During this second epoch of the social history of San Francisco, there lived several ladies of superior accomplishments, who would have adorned the society of any city in the world. One of these was Mrs. M. S. Latham, formerly Miss Sophie Birdsall, a woman of magnificent mind and vigorous character.[29] Mrs. Dr. Hitchcock had a ready wit and superior attainments. Mrs. Sam Ward, daughter of John Grimes, a celebrated lawyer of Louisiana, was esteemed one of the most cultivated and beautiful women of the day. She had spent some time abroad, had been presented at foreign courts, and was a musician, an artist, and a linguist. Mrs. Greenough was less accomplished, though bright and witty in society, and her daughter Miss Florence Greenough was known throughout the United States as a fascinating beauty. Mrs. Gwin and Mrs. Edwin Herrick were women of social worth,[30] and Mrs. A. A. Ritchie was graceful, handsome, cultivated and skilled in conversation. Manners were becoming more formal, though they still had a freedom not usual in eastern cities. The belles of the first decade married in the due course of events, and disappeared partially from public view. The daughter of Mrs. Lucian Herman [Mrs. Lucien Hermann] married William Burling; Rev. Dr. Scott's daughter married Nicholas G. Kittle;

Mrs. Gwin's daughter married Mr. Evan [J.] Coleman, and her charming niece, Miss Ella Gwin, was led to the altar by John C. Maynard. Miss Rosa Gore[31] was first married to Mr. Bonner, President of the Savage mine, and after his death to Mr. Franz Locan. Dr. Gordon became the husband of Nellie Gordon, and Thomas Morrison, of the Bank of California, won the hand of Maggie, the daughter of John H. Middleton. Many years afterwards Miss Lillie Hitchcock was married to Howard Coit of the San Francisco Stock Exchange. Miss Lida Ritchie married R. C. Rogers; Miss Patsey Ritchie, General M. L. Simpson; Miss Nellie Ritchie, Major Elliott of the Engineer corps, and Miss Hettie Ritchie, Captain Caziare, also of regular army. In 1860, or a few years previous, society began another hegira, this time to the southern slope of Russian Hill, extending south along Taylor and the intersecting streets toward the locality now known as Nob Hill. Among the first houses built were those of William F. Walton at the corner of Taylor and Washington, now occupied by William T. Coleman, and that of Captain Thomas at the corner of Taylor and Sacramento, now inhabited by A. E. Head. These, with the brick house on the corner of Washington and Taylor, opposite Mr. Coleman's, where E. W. Gross lived, were erected shortly before the rebellion.[32] In 1860 Lloyd Tevis built on the corner of Taylor and Jackson streets. The period was one of transition. Society, cramped for room, was fluttering about over the city seeking places to alight. The hills were steep, and in a measure, inaccessible, and those who objected to climbing selected building sites in the streets further south. Bush was at first preferred. C. Adolphe Low selected a site on Bush at the corner of Leavenworth, and D. J. Tallant on the same street at the corner of Jones. The residences of both were considered handsome ten years ago. Fashion afterwards condescended to settle on Pine, Sutter, Post and Geary streets, and since that time has been uncertain regarding the choice of locations.[33] Society has become too cumbrous for general management. Within the last half dozen years it has been segregating into cliques and neighborhoods. Every part of the city has a tinge of gentility. The most genteel neighborhoods are Rincon Hill, where fragments of polite society still linger; Bush, Sutter and the adjacent streets; Van Ness Avenue, which within five years has become a magnificent thoroughfare. California street beyond Van Ness, which is being rapidly built up and beautified; Pacific Avenue and the locality near the Presidio; and Nob Hill, which includes Taylor as far north as Pacific street, the last locality promising to eclipse all other localities in extravagant display of riches.[34] The rage for splendid houses began with the costly country-seats at Menlo and the building of the Haggin house at the corner of Taylor and Washington streets seven or eight years ago.[35] Since then it has seemed to be the aim to make each new private residence finer, more artistic, costlier than its predecessor.[36] The house on Sutter street, enlarged by Senator Sharon, and furnished with every luxury that it seemed taste could desire or wealth purchase, with carpets of the most expensive make, chandeliers costing two thousand dollars each, and the richest furniture that could be found in Paris, was deemed, and was in reality, a palace. It has been far excelled since by the residences of Leland Stanford and Charles Crocker, which are in turn surpassed by the castellated mansion of Mrs. Mark Hopkins. It is not probable that the houses to be built by James C. Flood and James G. Fair on Nob Hill will be inferior to the best of these either in splendor of external appearance, or in richness and beauty of internal decoration.[37] At present the families of our wealthiest citizens are more luxuriously housed than most European princes. To this excessive expenditure there will come an end, not perhaps until the next generation begins to scatter the means which this has accumulated.[38] Our millionaires show no disposition as yet to economize, though the last year or two many people of moderate means have evinced that desire by discontinuing the tribal relations of the hotel, and resuming the more private family ties of the domestic hearthstone. Society in San Francisco has in it the possibilities of the greatest refinement and the best culture. It is at present liable to the reproach of the *nouveaux riches*, as are most communities that have had similar experiences. The lines that divide its different classes are not yet distinctly drawn. The different sections overlap at the edges. If we speak of it as composed of superimposed strata, we may say that the composition of the lower changes insensibly into the next higher, and so on to the aristocratic capstone. It is not always easy to see where the adventurer merges into the gambler, the gambler into the stock-sharp, the stock-sharp into the regular broker, the broker into the man who follows occupations of greater certainty, until we reach the summit of wealthy leisure and unexceptional gentility.[39] In reply to this it may be urged that it is changing rapidly. The lines are year by year more tightly drawn. Moral distinctions are oftener observed. Good taste is more generally displayed in private residences, in dress, in equipage, and superior decorum is seen in social gatherings. It has been remarked by Eastern visitors that in no hotel in the country, excepting perhaps those of the fashionable watering places, can there be daily seen so well dressed and self-possessed an assemblage of people as gathers every evening in the dining-room of the Palace. The generation of young people coming on the scene has had the advantages of good schools, and the experience of foreign travel.[40] These results are being accomplished without much social activity. During the financial depression of the last few years there have been few brilliant balls or parties.[41] A stylish wedding has occasionally varied the monotony. Dinner-giving has almost become a lost art. The community wants intelligent leadership. It needs ladies and gentlemen at the hotels who can organize little assemblies that will render that mode of existence tolerable.[42] Grand parties with their crush and discomfort can in a measure be dispensed with, if we have more meetings around the dinner-table, and more inexpensive gatherings in neighborhoods for pleasure or for intellectual improvement. The influence of private theatricals and of amateur concerts would be refining, and they might often be made to inure to the benefit of some worthy charity. Fashion should never aim to exist for itself alone, and it always has at hand the means of uniting polite social intercourse with mutual improvement and the amelioration of the ills that afflict humanity. That which has been achieved in San Francisco society may be considered as merely indicative of what may be accomplished hereafter by the vast wealth and the many moral, social and intellectual advantages enjoyed by our citizens.[43]

NOTES

1. The 1884 version begins: "No city in America has a more romantic history than San Francisco. . . . . Before the discovery of gold life in California was almost as primitive as that in tents on the plains of Mamre. Great land grants and ranches sprawled over its hills and valleys, on which flocks and herds of scriptural dimensions wandered without restraint. Cities there were none, and villages were almost unknown. A man thought his neighbor too near when he could see afar off the smoke of his dwelling. San Francisco shared in the wildness of the State. . . . . Families with Spanish names that might have added sonorous music to the 'Chronicles of the Cid,' maintained rural state about the Mission San [sic] Dolores, on either side of the bay, or a day's journey in different directions among the hills." *A Social Manual for San Francisco and Oakland*, San Francisco: The City Publishing Company, 1884, p. 9.

2. "Frontier communities are much the same in all parts of the world. There come first the men of enterprise who are their bone and sinew, without whom they would have no existence. Then follow those who have lost fortunes and have them again to make, adventurers, criminals and those whose existence depends on the vices and weaknesses of others. The social elements are confused and incoherent. . . . . The machinery of society is unorganized. Crime flourishes without restraint till associations of individuals feel obliged to take upon themselves the functions which the feeble public authorities are unable to perform. In San Francisco these peculiarities of pioneer life were aggravated by remoteness of situation, and the unusual conglomeration of humanity brought hither by the discovery of gold. Fortunes were made and lost in a day. Saloons and gambling houses were the chief feature of San Francisco, the last often including the first and adding to their attractions a fine *cuisine*, superb music, and the fascinations of a *cafe chantant*. . . . . Women were so rare in these wild times that the flutter of feminine drapery on the streets caused an excitement as general and intense as that aroused by the careering of an angry bull." *Ibid.*, p. 10.

3. "In 1849 Montgomery Street from Bush to Washington, skirted the shore of the bay, and just north of Clay was crossed by a small lagoon which extended a short distance into the block on which a little later the old City Hall was built." *Ibid.*, p. 11.

4. ". . . . at wharves nearly aligned with Sansome street at the corners of Clay, Washington and Jackson, whence the settlements naturally extend westward up the hillside. Business houses soon lined Jackson, Clay, Commercial and Sacramento as far as Dupont, and on the latter street between California and Pine near the old church now occupied by the Academy of Sciences fashion found one of its earliest resting-places. The southern extremities of Montgomery and Kearny streets were also at this early period partly occupied with residences. *Ibid.*

5. "It was kept by W. H. Parker who married the widow of Henry Gordon Walton, an intellectual lady author of the poem read at the celebration of the admission of California as a State on the nineteenth [29th] of October 1850." *Ibid.*

6. Shortly afterwards the St. Francis, failing, was merged in the Union, a still more fashionable hotel at the corner of Kearny and Commercial, kept by Messrs. Hart, Joyce and Sullivan till burned by the fire of 1851. Another of note at this period was the City Hotel on the southwest corner of Clay and Kearny." *Ibid.*

7. ". . . . General Winfield Scott and General Sutter being among the number." *Ibid.*

8. "It was kept by G. W. Frink. . . . ." *Ibid.*, p. 12.

9. ". . . . the hero of Fort Sumter. . . . ." *Ibid.*

10. ". . . . Mrs. Greenough a lady of wide reputation with her daughters. . . . ." *Ibid.*

11. "The Brannan which was a large boarding-house with hotel conveniences was kept by Mrs. Yates. Nearly on the site now occupied by the Brooklyn was still another highly reputable boarding-house kept by Mrs. Butler. Social life then tended even more toward hotels and boarding-houses than at present, as much, perhaps, from necessity as from choice. The city was in a state of flux. The conditions of life were changing from day to day and with such surroundings there could be little of the home feeling. Most people still thought of the East as a locality to which they might return when they had made their fortunes. The hotel was the only home, and the people who made it their dwelling-place accepted the conditions which it offered, surrendered themselves to the swiftly-moving current that carried everything forward with it, and enjoyed existence without much care for the morrow. The society of these early days was not without means of enjoyment." *Ibid.*, pp. 12-13.

12. The 1884 edition adds the name of Madame Bishop "and at the Music Hall, a spacious building erected on the present site of the Occidental Hotel, fashionable society listened to the singing of Kate Hayes, to the 'Creation,' and to orchestral works rendered by an orchestra under the direction of Rudolph Herold. For a city of only four or five years old San Francisco was not entirely without refining influences. Ladies were still so much in the minority that at theatres, concerts and social gatherings, there was scarcely one to a score of the sterner sex. A gallantry, therefore, prevailed that bordered on chivalrous devotion, the more marked that any especial attention [was] paid them owing to the astonishing prices that were charged for everything purchasable involved the outlay of a small fortune. In illustration of this a story is told of a gentleman who, in 1850, wishing to pay some slight attention to a lady at the theatre gave her a bunch of five geranium leaves which he had just purchased by the munificent outlay of five dollars. And this in a land of flowers where the geranium grows into a forest and has to be cut down because it cumbers the ground!" *Ibid.*, p. 13.

13. "At a boarding-house on California just above Kearny kept successively by Mrs. Leland and Mrs. Pettitt, which still remains, or at another built by Henry Meiggs at the corner of Broadway and Montgomery might be found Judge Thornton, Judge Heydenfeldt, Governor Low, Judge Hoffman, Judge Woodruff either then or not long afterwards the wearers of those titles . . . ." *Ibid.*, p. 14.

14. "The upper part of the Virginia Block . . . . built by Judge Botts was kept as a select boarding-house for some years by Mrs. Yates and accommodated a goodly proportion of the society people of the period. A little later, Madame Désiré Fleury, wife of Captain Fleury, took the house formerly Wozencraft's which had been briefly occupied by the Pacific Club. She entertained many people of public distinction, among them E. L. Goold and wife, A. G. Moulder, Mr. Game, George Penn Johnson [George Pen Johnston], Colonel and Mrs. Holt, Captain Moore who married the daughter of Mrs. Greenough, Mr. and Mrs. Cheevers, General Addison and his brother William, Edward Pringle, John B. Felton, General Howard now of Los Angeles, Mrs. Maguire

a sister of Mrs. Tobin, Mr. and Mrs. P. H. Canavan, Frank Turk, Jerry Clark and family, Judge Lake, James Donahue, Lieutenant Walker killed during the Rebellion, and Colonel afterwards General McPherson killed in one of the battles near Atlanta." *Ibid.*, p. 14.

15. "It was thought at this time that North Beach would be the business center of the city, and that the fashionable quarter would be on the hills and in the streets adjacent or leading thereto. Stockton street was already a fashionable thoroughfare. Broadway it was hoped would rival the street of the same name in New York. Lombard, Powell and Mason streets felt the influence, and a few people of fashion even ventured up the sides of Telegraph Hill and Windmill Hill. Meiggs' wharf was built to anticipate the trade and commerce that were expected. It was considered in its day a work of imposing grandeur. No one who of late years has observed its dilapidated condition would imagine that it was ever a place of fashionable resort. Yet it was greatly frequented by the stylish people of *Le Boulevard Stockton,* and especially affected by young lovers, who in the intervals of fog and wind on summer evenings found it a convenient trysting place. But causes were already at work that were to give an entirely different tendency to wealth and fashion. People had from the first gone on building on the hill-side facing the bay as far up as Prospect Place, on which there remain some of the oldest houses in the city. There was an air of gentility along this narrow thoroughfare, and signs of elegance on Clay, Sacramento, and California between Dupont and Powell." *Ibid.*, pp. 14-15.

16. "Henry L. Dodge lived on California at the corner of Prospect Place, and adjoining his residence was a boarding-house filled with prominent people. T. C. Banks lived on the block below in a house built in 1851, and since greatly enlarged." *Ibid.*, p. 15.

17. "The neighborhoods we have described were at this time on the very outskirts of the city, but still further out behind the sand hills and constituting the real suburbs there were cottages nestled in sunny nooks . . . ." *Ibid.*

18. "No one would now realize that it ever stood in the midst of a wilderness. It has considerably changed its form. Several of the gables have disappeared through successive alterations to accommodate it to its present office of beer-garden, the handsome trees and shrubbery only remaining to give it something of a home-like appearance." *Ibid.*, pp. 15-16.

19. ". . . . F. L. A. Pioche, Maurice Dore and John Sullivan. Though this locality is now in the heart of the city it was then so far in the country as to appear practically inaccessible to city fashionables." *Ibid.*, p. 16.

20. ". . . . a neighborhood that has been of late years largely usurped by business and has entirely changed its character. The hills then clustered about the bay and seemed to shut it in on all sides. In 1852, there was a sand hill on the present site of the Occidental, and another where the Grand and Palace now stand." *Ibid.*

21. "We can imagine the inconveniences of sand, chaparral and poison-oak they had to encounter, shoes filled with the first, drapery torn by the second, and the reminiscences of the last that must have sadly interfered sometimes with social enjoyment. A portion of this retired neighborhood between First and Third and Mission and Folsom was called Happy Valley and was at one time reached by a bridge from which far below could be seen market gardens the source of boundless wealth to their proprietors." *Ibid.*

22. The 1884 edition adds after Johnston's name, "lately deceased," includes G. W. Granniss, Alexander Austin, Eugene L. Sullivan, Dr. A. Stout, Delos Lake, W. M. Stewart, F. J. Lippitt, W. D. M. Howard, and Major afterwards General Canby, and substitutes the name of James Donahue for Joseph Donohoe. *Ibid.*, pp. 16-17.

23. ". . . . on Montgomery street." *Ibid.*, p. 17.

24. ". . . . were not large as they are now, but they . . . ." *Ibid.*

25. "Stockton street still remained fashionable and eminently respectable, but had lost its social prominence." *Ibid.*

26. "It has since changed a little in appearance, the houses having lost their first freshness, and the neighborhood something of its elegance since fashion pressed for room has found other equally desirable locations." *Ibid.*

27. ". . . . on the fine property afterwards nearly ruined by the Second-street cut." *Ibid.*, p. 18.

28. The 1884 edition omits the name of A. B. Forbes. *Ibid.*

29. The later edition describes Mrs. Latham as "of superior mind and charming character." *Ibid.*

30. In 1884 Mrs. Haggin and Mrs. Tevis were included with Mrs. Gwin and Mrs. Herrick as "women of great worth." *Ibid.*

31. ". . . . one of the most noted belles of the southern part of the city . . . ." *Ibid.*, p. 19.

32. "Cable roads were then unknown and the neighborhood was reached with difficulty, but those who built there showed an appreciation of a fine and sightly locality, which since the roads were completed the wealthier portion of the community have not been slow to recognize. . . . . The city had grown beyond original expectation. The lower part of it was by this time crowded with business houses. There was no longer any suitable neighborhood for residences east of Stockton, nor in much of the region south of Market street. . . . ." *Ibid.*

33. "Later wealthy people selected sites for building on the parallel streets as far south as O'Farrell and Ellis, all of which now are occupied for a portion of their length by blocks of handsome mansions. Soon afterwards Van Ness avenue the broadest thoroughfare of the city began to be sought by people of style and respectability." *Ibid.*, p. 20.

34. The 1884 directory includes South Park with Rincon Hill as one of the "separate and distinct social neighborhoods," and "one or two districts beyond including Octavia and Laguna . . . . The peninsula is broad, and still other fashionable residence neighborhoods will in time be developed, if not in the thinly settled district west of Hayes Valley, certainly on the slopes of the Laguna Honda hills to the south and southwest of Golden Gate Park. . . . ." *Ibid.*

35. "About thirteen years ago there began an era of splendid building in San Francisco inspired principally by the country seat of Milton S. Latham at Menlo, and the capacious mansion of J. B. Haggin on Taylor street." *Ibid.*

36. "The catalogue of fine houses built within the decade is long and would have been longer except for the agrarian troubles of 1876 and the succeeding years. It includes, however, the house of D. O. Mills at Millbrae, the country seat of James C. Flood at Menlo, a few other suburban dwellings of less note, and in the city the residences of Leland Stanford, Charles Crocker, Mrs. Colcman, Mrs. Hopkins, and some that though they are less magnificent are still large, commodious and elegant." *Ibid.*, pp. 20-21.

37. "This profuse display of individual wealth has been attended with a corresponding development of taste. The more splendid houses have been finished and decorated with a lavish disregard of cost, rare woods and rich carvings entering largely into interior detail. Many of them have been filled with pictures from home or foreign easels selected with a discretion that indicates a growing culture. This passion for tasteful decoration has extended through society, and even less pretentious homes have been given by the judicious use of rich or delicate colors and graceful forms an air of decorous elegance less dazzling but scarcely less pleasing. The improved taste in pictures is notable in those that have covered the walls of well-furnished parlors being continually retired to give place to more creditable works of art. The forms of house exteriors remain much the same. The bow-window is still the prevailing feature, and the average color is still a not very cheerful shade of drab or lead. There are exceptions. An effort is being made to give picturesque outlines by towers and turrets, new designs are occasionally seen in projecting windows, and shades of red and green here and there relieve the dull gray monotony to which we have been so long accustomed. Comfort and convenience are

not understood in Europe as we understand them in America. Our middle class is better housed than the rich in European countries." *Ibid.*, p. 21.

38. "But the extraordinary expenditure of our millionaires cannot continue forever unless new bonanzas are discovered, new railroad enterprises prove as remunerative as those of the past, or avenues of speculation now undreamed of are opened to an enterprising public. The legitimate gains of trade are slow and normal. There is therefore probably in the future a greater equality of wealth and a more equal expenditure to which the dissipation of the great fortunes recently accumulated by the generation coming on the stage will materially contribute." *Ibid.*, pp. 21-22.

39. "The accusation held good when the commercial existence of this community was almost entirely speculative. We have since learned wisdom from experience. Business has now fallen into regular channels, and its conservatism has had its effect on society from which the fever and restlessness have in a measure departed." *Ibid.*, p. 22.

40. ". . . . the advantage of better schools on the Pacific Coast and of the best learned institutions at the East. Scores of young men every year enter the colleges of California or are sent to Harvard, Yale, Cornell or Princeton. . . . ." *Ibid.*, p. 23.

41. ". . . . during the period of agrarian excitement that immediately followed the year 1876. There was discretion in the display of riches. The erection of fine residences that had been for some time contemplated was delayed. Some wealthy families left to make their homes in the East and others who remained entertained rarely and without ostentation." *Ibid.*

42. "During the last few years this has again been changed. The social elements new and old have been fused into a consistent mass, not necessarily finding enjoyment in gatherings where all have been included but in which they have been necessarily broken and in the divers ways which people socially inclined and intelligent well understand. Stylish and expensive weddings have been numerous. Every season has had its large parties to which invitations have been general. Smaller parties have gathered the members of the various cliques. Dinner-giving has been practiced to a certain extent, and kettledrums and teas have been common. Dinners for gentlemen alone have not been infrequent, and ladies who wished to entertain friends of their own sex and at the same time make them acquainted with their special circle have given frequent lunches at which no gentlemen were present. Dancing has been an accessory at evening parties. Musicals have grown in favor, and it may be said of them that there is no more rational way of passing an evening in mixed company. The taste is cultivated, and the set programme is always found to be an aid and relief to conversation. Private theatricals have been partially popularized. . . . . The disposition seems to be to avoid the crush and annoyance of great parties as far as social obligations will permit, and meet under circumstances that will allow freer intercourse and entail less personal trouble." *Ibid.*, pp. 23-24.

43. Society as at present constituted in San Francisco has made great advances within five years. It cannot be said to have new constituents, but a process of assimilation has gone on rapidly with those already in existence. . . . . If there has been any lack of culture in the generation that has made the fortunes the want is being rapidly supplied. It would be gratifying to be able to hope that the children with their superior education and more refined culture might retain the business energy and personal force that has built a great city and laid the foundations of its social structure so strong and well. The future is in their hands. . . . . *Ibid.*, p. 24.

Francisco de Ulloa Returned

By Henry Raup Wagner

THE VOYAGE OF Francisco de Ulloa will always be an outstanding landmark in the history of the discovery of the peninsula of Lower California, although he himself was not the real discoverer. His own account of the expedition was published in my *Spanish Voyages to the Northwest Coast of America in the Sixteenth Century*, in 1929, after having appeared in this Quarterly in December 1924. In this account Ulloa speaks of Juan Castellón as steering the *Santa Agueda*. He also speaks of him as grounding her at the entrance to La Paz Bay, and, in the beginning of his letter, states that Castellón did not keep his instruments in good order. Francisco Preciado, who wrote another account of the expedition and who returned on the *Santa Agueda*, mentions Juan Castellón as the captain of that vessel. The great question left unsolved was this: Did Ulloa himself return to Mexico after leaving the island of Cedros? I brought together all the evidence I could find on the subject, which seemed to indicate that he probably did.

Recently I found a record of a suit brought by Castellón against Cortés. This was one of the documents among the Cortés papers in the Hospital de Jesús which were confiscated some years ago by the Mexican Government, and it is now in the Archivo General in Mexico. Mr. Woodrow Borah, who was in Mexico last winter, kindly made me a microfilm of the documents in this suit, which I had enlarged at the University of California. Altogether it comprises about five hundred pages, including a few that do not belong to it. Many of the pages contain only notations regarding the documents, and most of them are legal pleadings which contain no important facts. Furthermore, they are extremely difficult to read, many being almost indecipherable. The following facts, however, are plain and of sufficient importance to warrant at least a mention of them.

In Cuernavaca, on November 18, 1538, Cortés and Castellón entered into a contract before a notary public. The agreement was as follows: Castellón was to go to Tehuantepec where Cortés had his ship and work there with his people in equipping the *Trinidad* with the greatest diligence possible, and was to put on board all the supplies furnished him. He was to go as captain and pilot of the ship to the new land named Santa Cruz, where Cortés had been, and survey all the *ancón* between the "island" and the mainland. From there he was to discover what he could in conformity with his instructions, in order that it might be settled with Spaniards, if any new land suitable for them should be found. If any such land was found, he should then take possession of it in the name of His Majesty and Cortés, and, in the name of the Marqués, take the proper steps to colonize it in the shortest time possible. Cortés obliged himself to furnish all the equipment necessary for the ship, anchors, cables, rigging, and seamen and the necessary provisions. Castellón for his work was to receive two hundred *pesos* of *oro de tepuzque*, to be paid to him, or to Juanote Duran in his name, or to whomever had his power of attorney, in the coming March, and Castellón was to get one of the good *repartimientos* in the new land. If Cortés failed to comply with his contract, he agreed to pay five hundred *pesos* of *oro de minas*, one-half to the *camera fiscal* of His Majesty and one-half to Castellón.

There is nothing to indicate when Castellón finished his work and left Tehuantepec, but on March 28, 1539, Cortés sent him his instructions, evidently to that place. In this document he says that he had received Castellón's letter, thanks him very much for his care and work on the ship, and states that he will remember to reward him as he merits. He then says he is writing to Juan de Toledo, *alcalde mayor*, in Tehuantepec, to dispatch Castellón when the ship has been launched and is ready to sail. With the benediction of *Nuestro Señor*, Castellón was then to proceed to the port of Guatulco and receive there two hundred quintals of biscuit, and then to Acapulco where he would find all the rest of the supplies which he was to take, in conformity with a list which would be ready when he reached there. Cortés then adds: "I can tell you that I have received much other good news about the country where you are going," and expresses his trust in God that this time everything will go well.

When Castellón arrived at Acapulco he evidently wrote a letter to Cortés saying that he had heard that Francisco de Ulloa was to be put in charge of the expedition. Cortés wrote him on June 12, 1539, that this was true and said that he was appointing Ulloa to take command of the expedition, because he was now sending two ships and Ulloa was a person who had had experience in the land where he was going. He told Castellón that in the instructions given Ulloa, which the latter would show him, Castellón was named *piloto mayor* of the fleet and that all should be as he ordered. Cortés had also ordered Ulloa to give him good treatment. In reply to a statement Castellón made in his letter, that a Catalan had discovered new land, Cortés promised that if Castellón should discover something new the discovery would be attributed to him and not to Ulloa, and asserted he was confident that Castellón would find himself well paid. Cortés then added that he was sending along three friars of the order of San Francisco—two priests and a lay member—who he thought would be of great consolation to Castellón, and expressed the opinion that Castellón would consider this to be a good thing. In another letter of the same date Cortés said that he had to send the *Santa Agueda* and that Castellón would go on the voyage as chief pilot.

Ulloa must have arrived at Acapulco on July 6, for on that day he made a declaration that he had taken away from Castellón the *Trinidad*, in which he had come as captain, by orders of the Marqués contained in an instruction which he had given him. This declaration was evidently made on Castellón's demand, for Castellón was then and later much chagrined because the command of the *Trinidad* had been taken away from him and he had been put on board the *Santa Agueda.*

According to his own account, Ulloa left Acapulco on July 8. It now appears from these documents that when the vessels reached the old anchorage of Cortés, just outside La Paz Bay, after the voyage up the gulf, Castellón made a written demand on Ulloa, before an *escribano*, to return to him his ship, the *Trinidad*. The demand is dated October 22, at the Bahia de Santa Cruz in the Ancón de San Andrés. Ulloa naturally refused. None of the numerous witnesses examined in the ensuing suit gave any account of the voyage. The only remark of any importance to us was made by one of the Franciscan friars, Fray Antonio de Meno, who, in speaking of the demand on Ulloa made by Castellón at Santa Cruz, referred to the "Isla de California." His evidence was given in March 1541, and this seems to be the earliest contemporary record of the use of the name California. To just what it referred, however, is not apparent, but it seems likely that the witness meant the whole peninsula of California so far as they had gone, that is, to the mouth of the Colorado River. This, and another use of the word *isla* by Cortés himself, seems to indicate plainly enough that the peninsula was supposed to be an island. Other witnesses mentioned the Isla de Cedros.

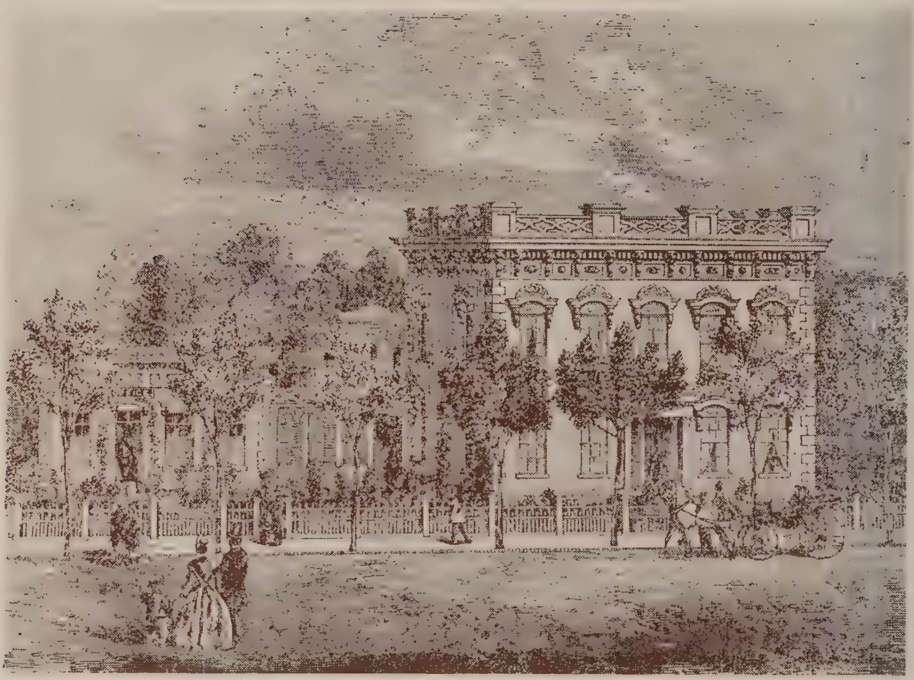
On February 17, 1541, Castellón brought suit against Cortés, before the *Audiencia*, for seventeen hundred pesos, claiming that Cortés had broken the contract and asking that the penalty of five hundred pesos be assessed. A power of attorney of Castellón to Alonso Gutierrez, dated December 14, 1540, was later filed in the suit. Castellón presented an interrogatory, and a number of witnesses were examined, almost all the questions being directed to proving extra services which Castellón had performed. Many of the prominent men on the expedition were summoned, for instance, Francisco de Terrazas, Fray Raimundo, Fray Antonio de Meno, Martin de Espinosa, Gonzalo Hidalgo, Pedro de Busto, and Juan Montaño, and all signed their declarations, but no information of any value to us was elicited. Alvaro Ruiz appeared as the attorney for Cortés, who had gone to Spain at the end of December 1539. His power of attorney was dated November 23, 1537, and was a general one. Ruiz in turn filed a petition with an interrogatory and called a number of witnesses, many of them being the same men that Castellón had called. Legal proceedings during the remainder of this year and the following one fill a good part of the document. Finally, a commission was issued by the *Audiencia* to take testimony in Spain and, in May 1542, this was presented in Valladolid by Iñigo López de Mondragón, attorney for Cortés. Several witnesses were sworn, including Andrés de Tapia, Alonso de Ulloa, and Francisco de Ulloa. In May 1541, shortly after the suit had been started, Licenciado Juan Altamirano, a relative of Cortés and acting for him in Mexico, in speaking of certain witnesses who were not present, stated that they had gone to Spain with Cortés, with the exception of Francisco de Ulloa and Gonzalo Hidalgo who had gone afterward with Cortés' son. Only two witnesses were examined in Valladolid (at least that is all that are named in the documents), namely, Alonso de Ulloa and Francisco de Ulloa. The testimony of Alonso de Ulloa does not concern us, but Francisco de Ulloa said that he was more than twenty-five years old and in answer to one of the questions replied that the reference to Francisco de Ulloa in the question was to himself. This settles for all time the question whether Ulloa returned or not. The statement of Altamirano would have been sufficient, and there are other references to him in the testimony after his return, but here we have Ulloa himself making a direct statement. In the following year, Cortés, in a suit about the daughter of Antonio Cordero, one of his pilots, declared that Ulloa had carried her off and referred to him for further information. In the opening remarks of my chapter on the voyage of Ulloa I expressed the opinion that this statement of Cortés indicated that he believed that Ulloa was still alive.

I recently saw a notice of Ulloa in the *Vita dell' in vittissimo e sacratissimo imperator Carlo V*, printed in Venetia in 1562. The author, Alfonso Ulloa, in speaking of the Argel expedition in 1541, tells the story of Cortés' losing his famous emeralds and states that he was accompanied by his great friend, the author's father, Francisco de Ulloa.

Cortés did not repudiate his contract, but claimed that he had fulfilled it by paying Castellón the two hundred pesos he had agreed to pay him. Castellón's claim was based on the alleged fact that he had repaired the *Santa Agueda* in Santiago and had performed other services not called for in the contract. It may be noticed at once that he changed the *pesos de tepuzque*, which the contract called for, to *pesos de minas*, or *pesos de oro*. A *peso de tepuzque* was worth eight *reales* or 272 *maravedís*, while the *pesos de minas* or *de oro* were worth 450 *maravedís*, a very material difference. To offset the demand for extra services, which Cortés' attorney did not dispute, Cortés set out various serious charges against Castellón—of insubordination, violation of his instructions, etc. The chief charge was that although Ulloa had instructed him to go directly to Tehuantepec, he had stopped at Santiago, had then gone to Acapulco and from there to Guatulco and then back to Acapulco, and that he had not reached Tehuantepec until over a month and a half after Ulloa had returned; at least six months after he should have reached the place. In the meantime he had dallied with two Indian women in Acapulco, had kept the sailors on the payroll, and had consumed the supplies. Abundant evidence was produced by Cortés' attorney to substantiate these charges. About the only evidence given in rebuttal was by one of the friars who said they had induced Castellón to stop at Santiago because they were sick and wished to go ashore.

Although no dates were given for the various moves of the *Santa Agueda* and for Ulloa's return, they may be approximately estimated. We know from Francisco Preciado's account of the voyage that the *Santa Agueda* left Cedros on April 5, 1540, reached Santiago April 18 and departed for the south four or five days later. She was said to have finally reached Tehuantepec in six months. If the six months are counted from the day of the departure from Cedros, April 5, the *Santa Agueda* reached her destination about October 1. As Ulloa was said to have reached Tehuantepec one and one-half months or more previously, we may assume he arrived there after August 1. Allowing thirty days for the run between Cedros and Tehuantepec, barring accidents, he should have left Cedros about July 1. In other words, his voyage to the north of Cedros lasted for about three months, that is, from his departure sometime between April 5 to 10, until the first of July. The questions naturally arise: Where was he? How far north did he reach during those three months? In my *Spanish Voyages*, on pages 14 and 303, I suggested that the names on the Diego Homem map of 1568, north of Cedros, might have been given by Ulloa during his voyage north of that island in the *Trinidad*. It now appears from the Castellón trial that he had time enough to sail quite as far as the names are found. The highest is the Baya de San Juan, which I tentatively identified as the Bahia Colnett, or Bahia Santo Tomás. In my article I suggested that Juan Gualberto, whose day is July 12, or possibly in that epoch, May 18, might have been the saint honored. It may be noted that the day of San Juan Bautista, the particular San Juan for whom almost every place bearing that name was so called in those days, was June 24. Nothing positive can be stated about the matter, however, until (if ever) we obtain Ulloa's own account of that voyage.

Judgment was given by the *Audiencia* against Castellón on May 29, 1543. He asked for a review of the case, but judgment was affirmed on February 8, 1544. Francisco Tello y Sandoval, the *visitador*, arrived in Mexico on March 8, and on April 21 Castellón appeared before him and charged the two *oidores* of the *Audiencia*, Licenciado Ceynos and Licenciado Tejada, with having rendered an unjust decision against him. Tello y Sandoval, however, reaffirmed the decision of the *Audiencia* on September 3, 1544, absolving the two *oidores* from any blame in the matter. Castellón appeared before the *visitador* on September 15, appealed to the Council of the Indies in Spain, and asked the *visitador* to sanction it. A transcript of the record was made early in 1545, but whether the case was brought before the Council I do not know, since beyond some efforts of Alvaro Ruiz, Cortés' attorney, to recover one hundred *pesos* which he had deposited at the order of the *Audiencia*, no further papers are present in the file.



THE MANSION AND GROUNDS OF LELAND STANFORD,
GOVERNOR OF CALIFORNIA

Corner of Eighth and N Streets, Sacramento

From *California Farmer and Journal of Useful Sciences*, July 4, 1862

Finding Facts about the Stanfords in the California State Library

An Address before the California Historical Society Delivered at the Stanford Mansion in Sacramento on June 16, 1940

By Caroline Wenzel
Supervising Librarian, California Section,
California State Library

IT IS INDEED a pleasure to have the privilege of speaking in such an historic setting to the members of the California Historical Society and their guests.

In my childhood days I frequently passed the Stanford home on my way to school and I often wished that I might enter the house and see with my own eyes the home in which Governor and Mrs. Stanford once entertained so lavishly, and especially did I want to see the room where young Leland was born. The house was not open to visitors then and, for some reason or other, I never had the courage to go up to the door and ask the good sister to let me enter. Once the kindly gardener made me happy by giving me some of the lovely violets that grew in such profusion in the yard. The place still interests me, and now, from the windows of the California Room of the Library I can point with pride to the historic house and tell visitors that they are welcome to visit the home during certain hours of the day, thanks to the hospitality of Sister Lucile[1] and her staff.

NOTE.—The Stanford Mansion, now called the Stanford-Lathrop Memorial Home, is on the southeast corner of Eighth and N Streets, in Sacramento, California. After the home was given by Mrs. Stanford to the Roman Catholic Diocese of Sacramento, in 1900, it was used for many years as an orphanage for children of all ages, under the supervision of the Sisters of Mercy.

In 1932 the younger children were transferred to the new St. Patrick's Orphanage and the Stanford building became a home for girls of high school age. In August 1936, the Sisters of Social Service, a comparatively new community of nuns, trained to serve in all fields of social work, were invited to take charge of the home. The upper part of the building is now used as a home for dependent girls of high school age and a meeting place for various cultural groups, while the street floor serves as a settlement house for neighborhood men, women and children of many nationalities and denominations.

Despite the fact that the home was used as an orphanage for so many years, the building is in good condition, and the Sisters of Social Service, under the capable leadership of Sister Lucile and with the assistance of friends, have succeeded in restoring the drawing rooms, banquet hall, dining room and bedroom of Mrs. Stanford to a semblance of their original condition. Much of the Stanford furniture of rosewood, walnut and intricate Italian inlays remains. The mansion is now open daily from 2:00 to 5:00 P.M., and visitors are welcome. There is no charge for admission.—The Editors.

I know that you are all interested in hearing something about the history of the house and the changes that have been made in it, but before speaking of this I want to tell something about the California Section of the State Library. After all, that is the only reason for my appearing before you, because you all know that I am better as a literary detective in the field of Californiana than as a public speaker.

The State Library was established in 1850, and the acquisition of California material actually began at that time. The California Section, however, was not organized as such until 1903. The Library, which was then housed in the State Capitol, had throughout its collection, books, magazines, and newspapers which were either printed in California or pertained to the State. The California Section was created by bringing together this scattered material as one collection. Since that time the resources of the department have been steadily increased and its usefulness extended until today it is known to collectors, research workers, and writers throughout the country.

In the California Room are located the rare and most important reference books and the various catalogues and indices maintained as special units of our work.

The staff of the California Section consists of two professional librarians, a newspaper indexer and two library aids. The work is highly specialized and entails much hard work both in and out of library hours, but if one is interested in it there is a glamour and thrill about it that is difficult to describe. We are a vital part of the community. Our public is interested chiefly in the early history and literature of our State, but there is also a wide interest in the history of its art, music, religion, politics, economics, agriculture and allied subjects, so we must have information easily available about material pertaining to these subjects and especially must we be alert to references to current California events and books.

The aim of the State Library is to provide supplementary material to the libraries of the State and to lend to individuals through their local libraries. We try to adhere to this policy, but in the case of writers and research workers, when we know that the material is not in book form and not available elsewhere, we sometimes send the information direct to the individual. This applies particularly to people outside of the State.

Original material, newspapers, certain periodicals, reference books, and books that would be difficult or impossible to replace do not leave the library. If an applicant is unable to come to Sacramento to obtain information from a newspaper or book that does not circulate, we make photostats to a limited extent at a nominal cost for designated items.

We do a limited amount of searching in newspapers for such items as births, marriages, deaths and biographical sketches, when we do not find references in the information file, and these articles, if not too lengthy, are typed free of charge. We are quite willing to extend this search to books and other sources when the question is a difficult and important one which the local librarian is not able to answer because of limited reference tools.

Requests sometimes come to us concerning subjects which would require more specialized research than we have the time to do. In such cases we suggest that the student himself come to the State Library, if possible, and do his research work here. This individual service is a very important part of our work, and we are always glad to make all material available and give every possible assistance.

The book collection includes books on the history and description, resources and industries of the State, as well as the works of California authors in all departments of literature. The work of our fine printers is also represented.

A unique feature of the California collection and one that we believe is as complete as any of its kind in existence is that of California fiction. Books with a California setting or by a California author are included in this group. Many of them are autographed and are the gift of the author. Since it has been found that no other class of literature disappears as rapidly as popular fiction, these books are kept as a representative collection of this type of literature through the various periods of the State's history.

The collection of county histories includes nearly all which have been published. These volumes, especially the early ones, contain much valuable biographical and historical material and, supplemented by early directories and great registers of voters, they serve as useful reference tools, especially since the biographical sketches in county histories have been indexed in card form. The directories and great registers of voters are also valuable in helping to establish proof of citizenship and in verifying age and residence in this State, particularly for those needing proof for old age pension claims.

An interesting and valuable collection of California periodicals includes complete files of the *Pioneer*, the first magazine of importance published in the State, the *Hesperian*, the first magazine illustrated in color, and also complete files of the *Overland*, *Hutchings*, *Californian* and the *Argonaut*.

The manuscript collection consists of early mission documents, business papers, diaries, letters and reminiscences of pioneers, as well as biographical cards of California authors, artists, musicians, state officials, pioneers and early settlers. As no other material gives a better idea of the true character and spirit of the men and women who came to California, we have listed the letters both by the names of the person and by date, thus assuring the greatest possible use.

Several thousand pictures have been collected, portraying persons, places and events in California history.

A theatrical collection consisting of actors' photographs, playbills, programs, biographical information, manuscripts and printed copies of the work of California players is one of the special features of the department.

Aside from the very definite types of material already listed, there is much in the miscellaneous collection, including old account books, scrapbooks, early ballots and political dodgers, bookplates, sheet music, concert programs and the like.

Perhaps the California Section is better known for its unsurpassed collection of newspapers of the State than for anything else. The file begins with the first paper, the *Californian*, which started in Monterey on August 15, 1846, and includes nearly every representative paper from that time until the present. Nearly all the early San Francisco papers, such as the *California Star*, the *Alta California*, the *Herald* and the *Bulletin*, as well as many northern papers, including the *Placer Times*, the Sacramento *Union* and the Sacramento *Bee*, are in the collection. These newspapers, now numbering over sixteen thousand volumes, are bound and shelved by counties in the specially constructed newspaper stacks and are listed in a card catalogue by title and locality. At the present time over two hundred California papers are received regularly and about ten from outside the State. Needless to say, these papers do not circulate.

One of the most useful tools in the department is a card index to California material found in California newspapers. The index covers the period from 1846 to date, and the entries, estimated at over five million, are chiefly from San Francisco papers with the exception of about thirty-five thousand cards which were indexed by Winfield Davis from the Sacramento *Union*. This index is of great assistance in locating sketches of California people and places and items of local historical interest. Frequently people come into the Library and tell us they understand that we have a subject index to all the newspapers published in California, but such is not the case. At the present time the San Francisco *Chronicle* is the only newspaper being indexed, and it takes the full time of the newspaper indexer to keep it up to date. Only California items are indexed, and legal notices and advertisements are not included.

In addition to the newspaper index and the general dictionary catalogue of California books, several other card catalogues are maintained in the California Room. The information catalogue consists of miscellaneous references to material that has been found in county histories, periodicals, directories, general books, etc. Entries to this index are being constantly added, thus widening its scope and increasing its value.

Perhaps I can best give you an idea of how this material is used by telling you of the assistance we were able to give to the citizens of Sacramento last year when the Centennial was celebrated. Much interest was aroused in the community. Stories of the pioneer days were recalled and old songs and dramas revived. A local newspaper, the Sacramento *Bee*, published a guide book, and a group of merchants sponsored a series of broadcasts featuring stories of local interest. Guests invited to many of the large balls and parties that were given were requested to wear costumes of the 1839 period, and we were kept busy advising them regarding the styles and furnishing photostatic copies of costumes to the dressmakers.

Some of the local citizens decided that it would be a good idea to assist in the work of renovating the old Stanford mansion and have it open for inspection during the Centennial celebration. This naturally aroused curiosity regarding the house and its early occupants. The public turned to the State Library for information.

Although the Stanfords were married in 1850, and Mr. Stanford came to California in 1852, it was not until 1855 that Mrs. Stanford came to make her home in Sacramento. At that time there was no suitable dwelling for rent, so they lived in a hotel until a small house on Second Street between O and P Streets became vacant. They furnished this house in a very frugal manner, and Mrs. Stanford did her own housekeeping.

Wealth and distinction came to the Stanfords during their stay in Sacramento. It was here, at 54 K Street, that the Big Four–Stanford, Crocker, Huntington and Hopkins–conceived and carried into successful execution the daring scheme of building a transcontinental railroad. Also very important to us is the fact that these same men were all charter life members of the Sacramento Library Association, which later became the Sacramento Public Library.

The Stanfords entertained frequently in the days of their growing wealth and growing popularity. Yet for all their prominence, only brief mention is to be found in books of the home life of the Stanfords during their residence in Sacramento. Considering the vast amount of material that has been published about them this is rather surprising. After exhausting the references in our indexes we found it necessary to make a diligent search of newspapers, directories, county records, etc., for information.

The first item we located read as follows:

> GUBERNATORIAL MANSION.–Leland Stanford purchased yesterday of S. C. Fogus the house and lot on the southeast corner of Eighth and N streets, for the sum of $8,000. The property consists of two full lots–a quarter of a block–with a two-story brick dwelling house, finished in a costly manner inside and out, with addition of frame building, brick stable, fruit trees, shrubbery, etc., surrounding it.

The article appeared in the Sacramento *Union* of July 12, 1861, and the caption "GUBERNATORIAL MANSION" is optimistic, to say the least, because Stanford, though nominated for governor on June 19th of that year, was not elected until September 4.

From the records in the assessor's office it was found that the house was originally built between the years 1857 and 1858 by Shelton C. Fogus, a wholesale merchant and one time city councilman of Sacramento. It was sold to Stanford for less than the 1858 assessed valuation.

In 1872, just after the mansion had been renovated, the assessment against Stanford included $45,000 for improvements and $1,000 for a library. In addition to his other assessments there was listed against him the following personal property: 11 vehicles, $3,000; 12 mares, $3,500; 4 horses, $1,500; 1 horse [probably "Occident"], $20,000; 2 colts, $150, and 2 cows, $100.

The following description of the mansion by Colonel James Lloyd La Fayette Warren, who restored the grounds after the flood, appeared in the *California Farmer* of July 4, 1862:

> . . . The mansion itself can be said to be the most perfect specimen of a residence in this State, the main building is 46 by 40, with a wing in the rear of 20 feet by 31. Another wing to which is attached the Governor's office, is 32 feet by 18. The office of the Governor is finished with reference to convenience of business, yet with taste and neatness. It contains the department for clerks and his private office, the whole complete in itself, easily communicating with his dwelling. The whole design forms a unique and faultless structure.
>
> The saloons on each side of the hall occupy the whole size of the building, and are lofty and elegant, being 16 feet high. The side centers are ornamented with chaste corinthian columns and caps, with architraves over the doors, these, with rich central ornaments of pure white for the chandeliers, make a fine contrast to the oak-grained wood-work, and give to the whole an elegant appearance. The chambers, also, are the entire size of the building, but making four in number, are 14 feet high, finished perfectly, with blinds and shades so as to control both heat and light.
>
> The mansion, to the view, is lofty, having a heavy rich cornice and coping for each window and ornaments under the cornice. [Parenthetically let me say that on each of the ornamented windows the head of a man is carved, and up to the present time we have not been able to determine who is represented. I throw this out as a challenge to the historians gathered here.] The front entrance is furnished with corinthian columns and caps. The outside of the building (being of brick, with extra solid foundations) is finished in blocks and painted a delicate stone color; cornices and copings a lead color, which present a soft yet delicate tint. Yet the whole is much more beautiful in its natural view, than any illustrations can make it. . . .

In front of the mansion a noble liberty pole, 116 feet high, was raised, and from its point waved the Stars and Stripes—a banner 30 feet long.

Beautiful gardens surrounded the building, but they were destroyed by the flood of 1861-62.

It was owing to this flood that the inauguration ceremonies incidental to Stanford's assuming the office of governor were made as brief as possible. On January 10, 1862, the day of the inauguration, flood waters swept Sacramento. The Governor-elect went to the capitol, at that time on I Street at Seventh, in a row boat, and when he returned home a few hours later, the water was so deep, he had to enter the house through a second story window. In those days the house that now stands three stories high was but two. It was not until ten years later that the building was raised and what is now the ground floor placed beneath.

Ella Sterling Mighels, who knew the Governor as a tiny child, once wrote that her father said that the waters rose and surrounded the house, and everyone left the city who could. Governor Stanford's mansion was abandoned. But in the midst of the worries of everybody, there was seen a poor cow in the drawing room of the mansion, with her head sticking out of the window and mooing incessantly for help. Finally a boat went up alongside and pitched in some hay for her and she settled down peacefully in her headquarters.[2]

The story has been told that the piano was floating about in the reception room on the lower floor. Being a bit skeptical about this story, we tried to verify it in contemporary papers, but were not able to do so. However, we did find one article that stated that the piano in the parlor of the Chief Justice of the Supreme Court, though perched on chairs, was soaked and probably rendered worthless, and that the pictures in the parlor of the new Governor were spoiled.[3]

Mrs. Stanford actively participated in the social affairs of Sacramento, and in an article in the San Francisco *Alta California*, of Februry 23, 1863, we find a notice which states that ladies will be interested to understand a new rule of etiquette lately decreed by Mrs. Governor Stanford, with the concurrence of the wives of various officials of the city. This rule was that Mrs. Stanford would expect the first call from ladies visiting Sacramento. This rule had become a matter of necessity because so many wives of members of the legislature came to the capital to spend a few days, and the Governor's wife would like to call upon them, but she did not know when they were in the city or where they stopped. Evidently there was objection to this new procedure, because the article explained in great length that it was based on a rule well established in Washington and other places.

We found that many notables were entertained in this house during the time the Stanfords lived here.

William H. Seward and party were guests overnight on August 24, 1870.[4]

President Hayes, the first President of the United States who during his term of office found time and inclination to visit such a remote part of the republic as California, was the guest of Leland Stanford in September 1880. He was accompanied by Mrs. Hayes, Secretary of War Alexander Ramsey, and General William T. Sherman. A reporter for the Sacramento *Daily Record-Union*[5] tells us that when the first carriage arrived at the front entrance of the Stanford residence, which had been fitted up for the occasion, Governor Stanford ran nimbly down the steps and himself opened the carriage door and handed out the occupants. After a few hurried words of welcome he drew Mrs. Hayes's arm within his own, led her upstairs, and in the absence of Mrs. Stanford, who was in Europe, installed her as hostess of the mansion. At this juncture, General Sherman and the President again descended the steps, walked out of the front gate, and shook hands with the boys of Sumner Post, conversing with each for a moment. The day was observed as a general holiday.

The most brilliant affair that occurred was the magnificent ball given in February 1872, in honor of Governor Newton Booth and the members of the legislature. A San Francisco newspaper sent a special reporter to the party, and a three-column description was telegraphed to the paper. The headlines would have captured the fancy of a Hollywood producer of today.

The party was given just after the mansion had been thoroughly renovated, the house had been raised, a lower floor and mansard roof constructed, additional wings built, and altogether its appearance radically changed.

In order that you may visualize the home as it was at that time, I will read, with your permission, excerpts from the description that appeared in the *Chronicle* of February 7, 1872.

> . . . It [the mansion] contains forty-four rooms, all most elaborately and luxuriously furnished and fitted up. Good taste and cultured imaginations have been exhausted in furnishing the establishment. Magnificent and costly furniture in every room; lace curtains of the finest fabric; carpets that receive with noiseless tread the footfall; frescoes beautiful in design and exquisite in artistic perfection, adorn the walls and ceiling. Large bouquets of natural flowers are placed in every room, and their fragrance perfumes the air. Added to these are numerous baskets of artificial flowers, pendent from which artificial birds warble forth the rarest music, imitating canaries and other sweet singers. These artificial birds are an ingenious piece of mechanism, winding up like a clock. It requires an expert to say that they are not live birds. The billiard room and adjacent apartment in which the supper is served present a most inviting appearance. For each guest there are six different wine glasses. The entire service, from napkin-rings to centerpieces, is of solid silver, all being entirely new. There is room for 200 guests at a sitting. [From] the sidewalk to the grand entrance of the mansion is a waterproof canopy. Ladies descending from carriages are thus protected from rain, and an elegant carpet adds to the comfort. Everything is on a scale of unsurpassed magnificence.
>
> Seven hundred invitations were issued by the hospitable Stanfords, principally to their friends and acquaintances, who were asked to come and make themselves at home. Of these five hundred were issued to friends in Sacramento; the others to those in San Francisco . . . .
>
> On entering the mansion of the Stanfords the guests were escorted upstairs, where appropriate dressing rooms had been prepared wherein the ladies could prepare themselves for the general muster and the gentlemen give their claw-hammers the last graceful touch. Being so prepared, and everything in apple-pie order, the guests descend. In the parlors to the right as you enter Mr. and Mrs. Leland Stanford receive their guests. The Governor looks pleasant, and has a hearty greeting for all his friends. Mrs. Stanford looks radiant, and feels happy at the idea that this, her grand reception, is a grand success in every sense of the word. She has pleasant words for the ladies and vies with the Governor in exchanging compliments. The guests then pass on to the other apartments.
>
> The disciples of Terpsichore soon find where they can worship at their favored shrine. Church & Clark of Sacramento furnish the music. Seven pieces are stationed in the parlors to the left, which connect with a large hall 30 by 86. The parlors are 20 by 50. The second band is stationed on the lower floor in the hall beneath the main upper hall. This lower hall is also 30 by 86. This gives, according to our hurried mathematics, 6,000 square feet of space covered with the tireless dancers . . . .

For those of you who might be interested in knowing about the order of dances, the menu, the names of those present, and a description of the gowns worn by the ladies, a photostatic copy of the *Chronicle* article is on display in an exhibition case in the State Library. Mayhap one of you will find the name of a member of your family among the list of guests.

It was in this house that Leland Stanford, Jr., was born on a sunny day in May 1868.[6] This to both Mr. and Mrs. Stanford was the crowning event of their lives. They had been married eighteen years and had not before been blessed with a child.

You are all familiar with the story told by Bertha Berner in her biography of Mrs. Leland Stanford, that shortly before the birth of young Leland Mr. and Mrs. Stanford and a group of friends were enjoying a tea party out of doors on the front veranda. Mrs. Stanford, sitting in a rocking chair, overbalanced and tipped off the porch into a flowering bush. Her husband was stunned, but Mrs. Stanford was rescued without mishap and laughingly assured them that she was not hurt in the least.[7]

Miss Berner also tells this story:

> When the baby was only a few weeks old, Mr. Stanford asked Mrs. Stanford to arrange a dinner party for a group of their particular friends. It was a large party, and when they were seated the waiter brought in a large silver platter with a cover and placed it in the center of the table. Mrs. Stanford was very much surprised, for she had planned nothing of the sort and also had not seen the platter before. Then Mr. Stanford arose and said, "My friends, I wish now to introduce my son to you." When the cover of the silver dish was lifted, the baby was discovered lying in it on blossoms. He was carried around the table and shown to each guest. He was smiling, and went through his introduction very nicely.[8]

The platter, beautifully engraved, now reposes on the sideboard with other pieces of an elaborate silver service.

Mrs. Mighels recalled memories of Mrs. Stanford driving with her mother and sister, Miss Lathrop, and said that when the little boy was taken along, he looked like a baby prince, he was so bedecked and so cherished, as if he were more than an ordinary child. He had dark eyes and resembled his mother and his aunt more than his father. As he grew, he was very fond of playing at railroading, so a track was built for him and he was given a little car to run on it.[9]

The son was six years of age when the family moved to San Francisco. His death in Florence, Italy, at the age of sixteen, was the cause of great grief to his parents.[10]

Mr. Stanford's beloved mother lived with them for a time and died here in February 1873.[11]

When the Stanfords moved to San Francisco in 1874 they left the home in Sacramento completely furnished. Mrs. Stanford always kept a very warm spot in her heart for Sacramento and frequently remembered the city with generous gifts in later years. On February 7, 1888, she sent a check from

Washington, D. C., for the Protestant Orphan Asylum.[12] On April 25, 1890, in keeping with her creedless religious ideals, she sent $1,000 to the mayor with the request that the sum be distributed among the more worthy charities of the city.[13] That same year she had placed in St. Paul's Episcopal Church a magnificent memorial window of stained glass, said to be at that time the most costly window memorial in this country or Europe.[14] A few years later she presented to the Cathedral of the Blessed Sacrament a magnificent painting of Raphael's Sistine Madonna, copied by permission from the original in the Royal Gallery in Dresden.[15] She also contributed a sum of money to assist in the purchase of Sutter's Fort.[16]

On April 18, 1900, she came to Sacramento to make a final disposal of the mansion where her happiest days had been spent and her loved son born. For twenty years this home had been unoccupied, save for a solitary caretaker who had served in that capacity since Senator and Mrs. Stanford had removed to San Francisco. Before leaving for a prolonged stay in Europe, Mrs. Stanford wished to safeguard for all time the cherished place and its sacred memories. Money could not buy the "old home," and love forbade that it should ever be given over to profane use. Therefore, she offered to The Most Reverend Thomas Grace, Bishop of Sacramento, and his successors in the bishopric, forever, the home, together with an endowment of $75,000. The Bishop, honoring the charity and lovable intentions of Mrs. Stanford, accepted the gift, and promised that the hallowed spot should be preserved according to her wishes.[17]

When going through the building you will notice evidence of the railroad builder's interest. Two crystal light shades on a chandelier in the banquet room remain of all those that bore etched designs of an engine resembling the famed "C. P. Huntington." Again, the railroad design appears in Stanford's own glass enclosed bookcase. At the top, the engine and one car are carved, and the initial "S" appears on both frosted glass doors of the case.

In conclusion, may I say that we are still seeking information about the Stanfords. No doubt, there are invitations, photographs, original letters, etc., concerning them in the possession of individuals. It is our earnest hope that this material will be brought to the attention of the Library or the Historical Society in order that the information may be made available to future historians.

NOTES

1. Sister Lucile is the director of the Stanford-Lathrop Memorial Home and the superior of the Sisters of Social Service in Sacramento.

2. Mighels, Ella Sterling. "A Memory of the Governor," *Grizzly Bear*, X (February 1912), 5.

3. San Francisco *Alta California*, January 12, 1862.

4. Sacramento *Union*, August 25, 1870.

5. *Ibid.*, September 22, 1880.

6. *Ibid.*, May 15, 1868. (Date of birth, May 14, 1868.)

7. Bertha Berner, *Mrs. Leland Stanford; an Intimate Account* (Stanford University, California: Stanford University Press, 1935), p. 14.

8. *Ibid.*, p. 15.

9. *Grizzly Bear, loc. cit.*

10. Sacramento *Bee*, March 14, 1884. (Date of death, March 12, 1868.)

11. Sacramento *Union*, February 26, 1873. (Date of death, February 25, 1873.)

12. Sacramento *Record-Union*, February 15, 1888.

13. *Ibid.*, April 26, 1890.

14. *Ibid.*

15. Eva V. Carlin, "Famous Madonnas in California," *Overland Monthly*, xxxvi (December 1900), 527; also San Francisco *Call*, April 19, 1900, and Sacramento *Bee*, April 25, 1891.

16. Sutter's Fort Committee of the Native Sons of the Golden West, Memorandum Book of the Committee, 1890 (original MS in California State Library, Sacramento, California), p. 1.

17. Sacramento *Bee*, April 18, 1900; April 19, 1900.

Memoirs of Hon. William M. Gwin

Edited by William Henry Ellison

(Continued)

AT THE CLOSE of this Congress [March 1853] a new administration was inaugurated—the Whig administration going out, and the Democratic coming in—which resulted in a change in the Federal offices almost universally throughout the State. This system of rotation in office, on the change of parties in control of the Government, has been the fixed policy of both parties to this day, greatly to the detriment of the public service. The distribution of this patronage in California was the cause of estrangement among members of the delegation in Congress, creating differences that never were settled. From this may be dated the creation of sections in the Democratic party, each having a distinct and separate organization within the party, until the death of Senator Broderick.

The gentlemen selected by President Pierce, for the principal offices in this State, were Major [Richard P.] Hammond, a retired officer of the United States Army and afterward speaker of the assembly of this State, who was made collector of customs; [William H.] Richardson, United States marshal, afterward murdered by Cora who was executed by the Vigilance Committee in 1856; S[amuel] W. Inge, United States district attorney, who had served with distinction for years in Congress from Alabama, a recent emigrant to this State, and appointed in the interest of Parker Crittenden, an eminent member of the bar with whom Mr. Inge had formerly a partnership and who was subsequently assassinated by Mrs. [Laura D.] Fair. John C. Hays, the celebrated Texas ranger, was appointed surveyor general. Thomas J. Henley was appointed postmaster at San Francisco. Mr. Henley had been in public life in Indiana, his native State, from the attainment of his majority, until he left the State and came to California, having just closed a term of six years' service in the lower house of Congress. This gentleman was transferred from the post office to the position of superintendent of Indian affairs, and died in 1876, having lost his mind before his death.

The Thirty-third Congress began on the 5th of December 1853. On the 6th Mr. Gwin gave notice of his intention to offer a Pacific railroad bill, and a homestead bill; and on the 12th, he introduced both bills. The former measure having been defeated in the previous Congress, by a difference of opinion among its friends as to the constitutionality of expending money for such an enterprise within the borders of a state, Mr. Gwin's bill was framed to avoid this difficulty. Its operation was confined to the State of

California, and it asked no other aid from the Government within that State than a donation from the public lands. The remarks of Mr. Gwin, on introducing the bill, will briefly explain its provisions, as follows:

> The provisions of this bill are familiar to the members of this body who served in the last Congress. It differs in some respects from the form of the bills granting donations from the public lands for the purpose of aiding in the construction of railroads in the several states, which, after elaborate discussion, passed the Senate by a large majority. It differs in the quantity of land asked for, which I will be able, I hope, to satisfy the Senate and country is not exorbitant. It also differs in not raising the price of the alternate sections reserved to the Government to two dollars and fifty cents per acre. My object in leaving out this feature of bills that have met with the approval of the Senate will be explained by reference to the homestead bill introduced by me, and which, before I take my seat, I shall ask to be referred to the Committee on Public Lands. The policy I intend to advocate on this floor is to grant alternate sections of the public lands to the states in which they lie, to aid such roads as, with proper restrictions, they may charter, and open the whole of the residue of the public domain to actual settlers, citizens of the United States or [persons] having signified their intention to become such, who, after three years' occupation, shall have a fee-simple title to a quarter section for each settler who is the head of a family. My reasons for favoring the policy of thus disposing of the public domain I will explain more at large when these measures are acted on by the Committee on Public Lands and reported back to the Senate.
>
> This bill, Mr. President, is intended to be the basis of the great railroad line from the Pacific to the Mississippi. The point of commencement [of the railroad] is San Francisco, the great center of commerce, wealth, and population on our Pacific Coast; [from there it will run] to the southeastern boundary of the State, to meet a route, to be determined upon by Congress, [that will pass] through the territories of the United States to the states of the Mississippi River. From this main track, the bill provides for a branch, running north to the Oregon line, or to the northeastern boundary of the State. The object of establishing this branch is to connect with the route, if one should be discovered practicable, passing the Sierra Nevada at Noble's Pass and running east through the South Pass to the waters of the Missouri River; or to connect at the Oregon line with the route surveyed by Governor Stevens, if it should be discovered practicable. My object in framing this bill, Mr. President, is to afford a connection with any route that may cross the continent to the Pacific Ocean.
>
> The quantity of land asked for is large, but the proposition is not new to the Senate. The distinguished Senator from Illinois (Mr. Douglas) reported, from the Committee on the Territories, during the last Congress, a bill granting the same amount of land to California, to enable that State to construct the portion of the great national railroad located within its borders. That bill was matured in the Committee on the Territories, of which I was at that time a member, after the most elaborate examination of the subject; and the committee were unanimously of opinion that the quantity of land asked for in this bill should be granted to California to enable that State to complete its portion of this great work.
>
> During the last Congress I introduced a bill embodying, as this does, the main features of the one I have referred to as emanating from the Committee on Territories. It was elaborately discussed during that session, but not finally acted on. I bring the measure forward at the commencement of the session, with an earnest hope that it will be acted upon at an early day. I confine my efforts, Mr. President, in favor of this measure, to the boundaries of my own State. The bill avoids all constitutional difficulties in the construction of this great national highway. It asks for a grant of the public domain to the

> State, to aid in its construction. The President, in his annual message, favors this policy. Congress has heretofore adopted it in several of the states, to wit: Illinois, Mississippi, Alabama, Missouri, and Arkansas. The policy of thus disposing of a portion of the public domain in these states has been eminently successful; and it will prove to be so in all the states and territories, if a wise precaution governs our legislation, making the grant to such works as will undoubtedly develop the resources of the country. I know this bill will meet with opposition, from the quantity of land that it proposes to donate to the State of California.
>
> I anticipated this difficulty, and am prepared to meet it. I have documents before me which I will read to the Senate, in order that they may thus reach the Committee on Public Land, to aid them in their deliberations on this bill, which show the vast difficulties that must be overcome in California in the construction of this great national highway. I have, during the past summer, travelled over a great portion of the route in California, and can corroborate the statements I will now read to the Senate.[72]

Mr. Gwin gave the following brief explanation of the homestead bill which he offered:

> This bill differs in many material points from the one which passed the House of Representatives during the last Congress. It gives the right of settlement upon the unsurveyed, as well as the surveyed public land. This is indispensable to give the inhabitants of the new states and territories the full benefits of this measure. Many years must elapse before the lands in those states and territories will be surveyed, and without this important feature in the bill, it would be useless in those sections of the Union. It also excludes the mineral lands from its operation. It limits the time of occupation and cultivation to secure the title to the settler to three instead of five years. Every member of the Senate from the new states will see the importance of perfecting the titles to land under this act at the expiration of three years after its occupation and settlement. It also gives a quarter-section of land, not only to every citizen of the United States settling on the public lands, but to all persons who have declared their intention to become citizens at the date of their settlement. I move that the bill be referred to the Committee on Public Land.

The motion was agreed to.

Mr. Gwin also, on the same day, offered a bill to pay over to the State of California the collections from imports which were made from the time of the ratification of the treaty between the United States and Mexico, prior to the admission of the State into the Union. The failure of the Government to pay over to the State all collections from customs prior to the admission of the State into the Union was the cause of great dissatisfaction, which is referred to by Mr. Gwin in the following brief remarks, which refer to the monies collected under the war tariff, with which he introduced the bill:

> A flagrant wrong has been perpetuated on the people of California by the refusal of Congress to pay over this fund to the State. The sacred principle which we fought for in the Revolutionary War, that there shall be no taxation without representation, has been violated in withholding this money from the State. I hope that this just reproach upon the Government may be wiped out by the passage of this bill at an early day. I move its reference to the Committee on Finance.

The motion was agreed to.

On the same day, he introduced a bill to refund to the State of California the expenses incurred in suppressing Indian aggressions in that State, and accompanied its introduction with the following remarks:

The early passage of this measure is of the greatest importance to the State of California. We are now burdened with an enormous state debt, and our citizens are subjected to oppressive taxation to sustain the State government. It is clearly the duty of the United States to assume the payment of this Indian war debt. It was created to defend our citizens from being massacred by the Indian tribes within our borders. Every similar debt contracted by other states has been assumed by the general Government. The vouchers upon which this claim on the National Government is based will be laid before Congress at an early day, which will show in detail the whole expenditure by the State authorities in the prosecution of these Indian wars; and as it is of the utmost importance to the credit of the State that the determination of Congress in regard to this debt should be known at an early day, it is hoped that immediate legislation will follow upon the presentation of these vouchers. I move that the bill be referred to the Committee on Military Affairs.

The motion was agreed to.

The subject of the Pacific railroad was an absorbing one at this Congress, from its very beginning, and numerous bills were offered at various times, and referred to committees on Military Affairs, on Roads and Canals, on Post Office Routes, and on Territories—which induced Mr. Gwin, on the 4th of January [1854], to offer a resolution to appoint a Select Committee of nine members of the Senate, to which all these bills should be referred. After considerable discussion it was adopted.

On the 13th of March, Mr. Gwin, chairman of the Select Committee, reported a bill for the construction of the railroad from the valley of the Mississippi to the Pacific Coast and moved that it be made a special order in two weeks from that day, which motion was agreed to. On the 10th of April, on motion of Mr. Gwin, the bill was taken up for consideration in the Senate, when he made an elaborate speech in its favor, explaining in detail all of its provisions, and although there was a large majority in the Senate in favor of passing a Pacific railroad bill, all Mr. Gwin's exertions, as chairman of the Select Committee, to bring it up for action at that session of Congress failed. Other questions of great importance were agitating the country, the Kansas and Nebraska question being of the most absorbing interest. Senator Douglas, who at the start was a great leader of the party in favor of the Pacific railroad bill, as chairman of the Committee on Territories, years before had reported a bill giving alternate sections for forty miles on each side, for the construction of such a road, but he never could be prevailed upon to give it the preference over the Kansas and Nebraska bill in the Senate; and it is believed that he exercised an important influence in the House of Representatives in displacing the Pacific railroad bill, which, as a special order, had the precedence of the Kansas and Nebraska bill, and this defeated all action on the Pacific railroad in the House during that session.[73] An unpleasant personal controversy arose from this action of the House, between Mr. Gwin and Mr. [James A.] McDougall, member from California. Mr. Gwin was chairman of the Select Committee in the Senate, on this subject, and Mr. McDougall in the House; and as the bill was made a special order in the House for a certain day, it was considered the best policy to have the action on the bill in the House first, and [then] send it up to the Senate. Mr. Gwin urged Mr. McDougall to stand firm in favor of his special order and not permit it to be put aside for the Kansas and Nebraska bill, which, in his opinion, would be its destruction during that session and probably for many years to come; but he failed to influence Mr. McDougall, who agreed to the motion to postpone the special order, giving the precedence to the Kansas and Nebraska bill, which from that time forward absorbed all the attention of the two Houses during that session.

On the 23rd day of May 1854, Mr. Gwin succeeded in getting a bill reported in the Finance Committee, of which he was a member, authorizing the coinage of gold pieces of the value, respectively, of ten eagles and five eagles, and for other purposes.[74] On the 29th of May, Mr. Gwin brought the subject before the Senate, but its discussion was postponed. It came up again on the 16th of June, on which day it passed the Senate by a large majority. Unfortunately, it never could secure the attention of the House of Representatives and therefore failed to become a law. The object of the bill was to authorize the coinage of fifty- and one-hundred-dollar gold pieces, which would have conferred a great benefit at that time on the people of California.

On the 29th of June 1854, Mr. Gwin called up the bill, reported from the Committee on the Post Office and Post Routes, to establish a line of steam mailships between San Francisco, in California, and Shanghai, in China, touching at the Sandwich Islands and Japan. It was fully discussed and passed by a large majority on the 5th of July. As this subject is not again referred to, it is proper to state that, although the bill passed the Senate during several sessions, it never received the approbation of the House. As an evidence of the remarkable power of what is called the "Third House"—the lobby—it is germane to state here that the bill establishing this line of steamships would undoubtedly have become a law but for the opposition of the advocates of a line of steamships to Africa. This chimerical scheme was powerfully supported by the lobby; and to secure its success they made war upon the bills establishing other lines of steamships, actually during one session of the Senate defeating action on the bill to establish the China Line, and [they were] always an obstacle to the passage of such a bill through the House. Their object in making such warfare was to force the other lines to make a combination—an omnibus bill—to include the African scheme among the other steamship lines.

It may not be inappropriate to refer to a contest which sprang up in the State of California, in the legislature which assembled on the first Monday of January 1854. An effort was made to bring on the election of United States senator to succeed Mr. Gwin in the Senate. This effort was without precedent in the history of the country, for United States senators had uniformly been elected by the legislature just preceding the expiration of the term of the United States senator whose successor was to be chosen. Mr. Gwin's term would expire on the 3rd of March 1855, and a legislature was to be chosen in September 1854, that would succeed the legislature that was elected in 1853 and assembled in 1854, and this election of United States senator would properly fall into the hands of this new legislature. This movement was made in the interest of Mr. Broderick, caused great bitterness, and produced a split in the Democratic party. At the general election in 1854, the Broderick party split off from the Democratic party, ran a separate ticket for Congress and for members of the legislature, and were signally defeated; [James W.] Denver and [Philemon T.] Herbert, the regular nominees of the Democratic party for representatives to Congress, being elected, beating the Whig and Broderick candidates, a large majority of the Democratic members of the legislature being anti-Broderick; but that party succeeded in electing a minority powerful enough, with the aid of the Whig members, to defeat the election of Mr. Gwin to the United States Senate at the ensuing session of the legislature, and a vacancy consequently ensued in the Senate, which was afterward filled by Mr. Gwin's re-election to succeed himself by the legislature which convened on the first Monday in January 1857.[75]

* * *

At the second session of the Thirty-third Congress, on the 5th of January 1855, Mr. Gwin had referred to the Judicial Committee a bill to create an additional circuit court of the United States in the State of California. Before the close of the session, this bill, as reported from the Judiciary Committee, was enacted into a law, a novelty in the judicial system of the United States. In the Eastern states, a judge of the Supreme Court of the United States presided in the circuit judicial districts; there were no circuit judges, only district judges and judges of the Supreme Court of the United States. This bill created a circuit judge who had no seat on the Supreme Court bench, whose jurisdiction was exclusive to the Pacific Coast. Judge [Matthew Hall] McAllister was appointed the first circuit judge. On account of mental disability he resigned [in 1862], and Judge [Stephen J.] Field, the chief justice of the Supreme Court of California, succeeded him. The law creating the judicial circuit was repealed, and Judge Field [in 1863] became a judge of the Supreme Court of the United States. Subsequently this law was re-enacted and Judge [Lorenzo] Sawyer was appointed circuit judge [in 1869, and took office the next year].

On the 15th of January 1855, Mr. Gwin, chairman of the Select Committee on the Pacific Railroad, reported a bill from that committee, which was made the first special order of the session. It was liberally discussed and amended, and on the 19th of February passed the Senate; but this was more in compliment to Mr. Gwin than with the expectation that it would become a law, as it was known that the House would not have time to consider it. Mr. Gwin had just failed in his re-election to the Senate, and it was considered a tribute to his zeal, energy and perseverance in behalf of this great measure, that it should receive the endorsement of the Senate, for it always had had a majority, but up to this time had failed to pass that body, owing to differences of opinion in regard to details. The form in which it did pass the Senate was not favorable to the construction of the road, on account of the constitutional objection of some of the friends of the measure to the expenditure of public money within the borders of a state for the construction of a railroad. The only perfected bill that passed the Senate during Mr. Gwin's term passed that body in 1861, providing for the construction of three roads—North, Central and South—and appropriated twenty-five millions of dollars to aid in the construction, and it was not restricted to the territories in its expenditure, as the former bill had been.

On the 18th of January, Mr. Gwin introduced a bill in the Senate to establish an express weekly mail between St. Louis, Missouri, and San Francisco, but did not succeed in getting it enacted into a law; but the enterprising mail contractor on the central route through Salt Lake established, at his own expense and his own risk, this weekly mail, known as the pony express, which through the energy of Mr. B[enjamin] F. Ficklin, who originated the scheme and carried it into operation, became a great success. This pony express carried the mail across the American continent weekly, with great regularity, in eight days, regardless of the storms of winter and the numerous tribes of hostile Indians through whose country it was carried and the secret and only less dangerous enmity of the Mormons, and it was the forerunner of that great railroad system which now connects the Atlantic and Pacific.[76]

Before the admission of California into the Union, the system of fortifications of the United States had become unpopular, and appropriations were made only to preserve the works and materials. Soon after the admission of California, this system was departed from, so far as that State was concerned, and an appropriation of half a million dollars, the first that was made for fortifications on that coast, became a law. The popularity of the design of fortifying the San Francisco and California coast rendered it impossible for Congress to fail to make appropriations for fortifications in that section of the country; and this popularity was seized upon by senators from other states to fasten onto the California bill amendments providing for the resumption of work on fortifications in the older states. The senators and representatives from California resisted these amendments, for fear they would jeopardize the bill; but subsequently their efforts failed of success, and in this way the progress of works upon fortifications on the Atlantic Coast was inaugurated again, and has been prosecuted ever since.[77]

* * *

In the 34th Congress, Mr. Gwin having failed of his re-election, there was but one senator from California, Mr. Weller. He was appointed chairman of the Select Committee of the Pacific Railroad, but his views on the constitutional question of internal improvements were an obstacle to his success in securing the passage of a bill to construct this great work. In fact, but little legislation for the Pacific Coast was secured during the first session of that Congress, as it was what was called the "Presidential Session," when the candidates for the Presidency were nominated. In this contest, a citizen of California, Mr. Frémont, one of the first senators from this State, was the Republican nominee. The State voted against him by an immense majority, he not receiving one sixth of the votes cast.

In the third session of the 34th Congress, there was little else than routine legislation for California. A few incidents connected with that session may be stated, among them the passage of the important act creating a submarine telegraph. It came up in the Senate soon after Mr. Gwin had taken his seat, he having been reelected, and Mr. Cyrus W. Field congratulated him upon his return to the Senate at such an auspicious moment, for upon his vote depended perhaps the passage of this important bill establishing the ocean telegraph. He said that Mr. Gwin's colleague, Mr. Weller, was supposed to be opposed to the bill, and if he could be induced to retire and not vote on it, with the addition of Mr. Gwin's vote it might pass as it came from the House. At Mr. Gwin's solicitation Mr. Weller did retire, and upon the final test vote, it was decided by a vote of nineteen to twenty, Mr. Gwin voting with the majority.[78] This vote cut off all amendments to the bill, as it passed the House of Representatives; and the amendment of the House was thus concurred in, and the bill, having passed through both houses, was approved by the President. Mr. Gwin and Mr. Field have never met since that event without the latter returning his thanks to the former for his opportune return to the Senate, and the important aid he rendered in passing this oceanic bill.

Another incident occurred during the closing scenes of this session of Congress. The senators of the Southern states and the strict constructionists of the Northern states were opposed to internal improvements by the general Government within the borders of the states, and a number of members from the extreme South went so far that they would not vote for fortifications within their own borders, nor for customhouses or post offices. Members that favored legislation for improvements were compelled to make appropriations for these Southern states, the votes of the members from those states being cast against these appropriations for works within their own borders. California was deeply interested in such appropriations; its members had taken an active part in passing such bills through Congress, and none was more active or efficient in this respect than Mr. Gwin. On his return to the Senate, he found this contest still going on, and he perpetrated a practical joke upon his friend Governor [Benjamin] Fitzpatrick of Alabama. When the appropriations for a customhouse and a post office at Mobile were under consideration, he was seated with the two Senators from Connecticut. Governor Fitzpatrick was walking backward and forward behind the President's chair, within hearing; and Mr. Gwin proposed to the Connecticut Senators that they should vote against this appropriation, [saying] that he was tired of forcing appropriations upon the Southern states when the members from those states voted against them, and it was time now to put a stop to it, and proposed to commence with this very appropriation. A page immediately came to him with a request for him to see Governor Fitzpatrick behind the President's chair. Mr. Gwin went and found him as pale as ashes. He saw that he had heard the proposition which had just been made, which, if carried out, would be destructive to his influence among his own constituents. To single out his State, and have the appropriation for improvements within its borders stricken out of the bill, would be attributed to his want of influence, especially if the proposition came from an old friend, such as Mr. Gwin himself. It was evident to the latter that the joke was too serious, and he undeceived him, informing him at the same time, that it was merely intended as an indication that the senators from other states were tired of having the responsibility thrown upon them of making large appropriations for internal improvements within states whose members voted against those appropriations.

Many important appropriations were made by Congress for public works in California, among them one of $300,000 to commence fortifications on the north side of the Golden Gate, to carry out the system that had been adopted by a Naval board of engineers in 1849 and 1850. The point where these fortifications were to be constructed was known as Lime Point, and it will be hereafter referred to, as it was used as a means to injure Mr. Gwin, as will be shown.

* * *

On the 3rd of March [1857], Mr. Pierce's term as President expired, and on the succeeding day, Mr. [James] Buchanan was inaugurated as President. His administration is so noted in history, and its national results are so prominent, that it would be a mere repetition of what has been said before, to refer to it, except so far as it affected California. In many respects important results flowed from his administration in this State. The election of Mr. Gwin and Mr. Broderick to the Senate it was expected would heal the feud which existed between these gentlemen as the leaders of different sections of the Democratic party. But at the very beginning of Mr. Buchanan's administration, this feud broke out more bitter than ever, and its real cause has not yet been stated fully. It was the control of the Federal patronage in this State that lay at the foundation of this feud, which had its origin at the commencement of Mr. Pierce's administration. This subject of Federal and state patronage is the bane of public men in this country, and its evil effects will never cease to exist until a real system of civil service is established on a firm basis and rigidly and honestly executed. From the date of the admission of California into the Union in 1850, until the close of Buchanan's administration in 1861, the entire delegation in Congress from California, in both houses, had been Democrats. The State government had been Democratic throughout, except during one gubernatorial term, when the Know Nothing ticket was elected in all the state offices.

During Mr. Fillmore's administration, all the Federal offices in California were filled by Whigs. But Mr. Gwin had a great deal to do with these appointments, as, during a large portion of that administration, when most of these appointments were made, he was the only Senator from the State. As the Democrats had a majority in the Senate, it was difficult, and it may be said impossible, to secure the confirmation of the nominees of Mr. Fillmore for any office in the State, if the Senators from the State, for good reasons, opposed such nominations. But Mr. Fillmore and Mr. Gwin acted with great harmony in these selections, both being influenced by a desire to select the best men of the Whig party to fill the offices. They had known each other years before, being members of the same Congress, one from New York and the other from Mississippi, and the best feelings existed between them. That harmony in regard to appointments was disturbed but once, and that was in the nomination of Mr. [John] Currey, for the position of United States district judge for the Northern District of California. These two judgeships, for the Northern and Southern districts, had been filled at the previous session by citizens of other states, one of whom was Mr. J[udah]. P. Benjamin of Louisiana, one of the most distinguished lawyers in the United States, afterward United States senator from Louisiana, and at the very head of the bar of the United States in the Supreme Court. He ended his career on the American continent by being Mr. Jefferson Davis's secretary of state for the Southern Confederacy. He is now one of the leading members of the bar in Great Britain. Neither of these gentlemen accepted the position, because the compensation of $3,500 a year did not justify them in so doing. In the next session, nominations were made to fill these two places. One of these nominees, Mr. [James McHall] Jones, for the Southern district, was well known to Mr. Gwin, and [his nomination] was promptly confirmed. The other, Mr. Currey, was not known to him, but he was recommended by Mr. Fillmore personally, in whose law office he had been in part educated; but a very formidable opposition sprang up against Mr. Currey, the chief leader of which was Mr. [Peter] Halstead, a native of New Jersey, well known at that day as "Pet" Halstead, the erratic and talented son of a distinguished father [William Halstead]. He was subsequently assassinated in a house of ill fame in New York. Mr. Halstead had been a Whig candidate for Congress in California in 1849, but was defeated. He made his appearance in Washington as the opponent of the confirmation of Mr. Currey, and he made this opposition so formidable that there was no remedy left for Mr. Gwin but to oppose his confirmation. Parties had not then been formed in California. Mr. Currey was a stranger to Mr. Gwin, and Mr. Halstead's allegations against him, if they should prove true, might inflict fatal injury upon Mr. Gwin's reputation at home, if he gave him his support. This office was the most important to be filled in California. Mr. Fillmore was very much disturbed at the rejection of Mr. Currey's nomination, and sent for Mr. Gwin and urged him to withdraw his opposition. The President was referred to Mr. Halstead and those who were opposing Mr. Currey, and was assured that if they would withdraw their opposition, and the President would renominate Mr. Currey, he should be confirmed. The President failed in his efforts to overcome the opposition of Mr. Halstead and those who were acting with him, but persisted in renominating Mr. Currey, who was again rejected. Whereupon the President became angry and informed Mr. Gwin that he would make no other nomination to the office and would hold him [Gwin] responsible to the people of California for the office being vacant. Congress was about to adjourn, and for the office to remain vacant two years longer would be destructive to important interests in that State. Under these circumstances, Mr. Gwin applied to Mr. Webster, secretary of state, to settle this difficulty between the President and the opposing Senator, by naming some gentleman, a member of the Whig party and then a citizen of California, whom Mr. Webster could personally recommend for the office. Fortunately he recollected a young gentleman then residing at San Francisco, the son of a distinguished lawyer, orator and statesman of New York, Ogden Hoffman, who, he said, was in his opinion well qualified to fill the office. Through his influence Mr. Hoffman was nominated; but again an unexpected difficulty arose in the Senate. Mr. [William H.] Seward, then a senator from New York, the leader of the radical wing of the Whig party—Mr. Ogden Hoffman being a distinguished leader in the silver grey section of that party—objected to young Hoffman's nomination, on the ground that he was nothing but a boy, and not qualified to fill so great and important an office. Judge Butler of South Carolina, the chairman of the Judiciary Committee in the Senate, was not satisfied with this objection. He said that young Hoffman was the son of a distinguished man, and he believed in blood, and that the young man would not be permitted by his father to be presented for so important an office unless he was qualified to fill it. The consideration of the nomination was postponed to inquire into the age of this boy, as he was called, which resulted in the statement from his father that he was twenty-nine years old and a thoroughly educated lawyer; and the nomination was at once confirmed unanimously, Mr. Seward himself withdrawing his opposition.

It so happened, at the previous session, that Mr. Seward had received what he considered a great favor from Mr. Gwin, in the secret session, when the nominations from the State of New York were under consideration. Mr. Seward and Mr. Fillmore were the rival leaders of the Whig party in that State, and although Mr. Fillmore, as Vice President, it was supposed would have a commanding influence in General Taylor's administration, the reverse was the fact; Mr. Seward had supreme control over the appointments in that State, as long as General Taylor was President. A combination was made to defeat these nominations, to which it was said Mr. Fillmore himself was a party. It was certain that the Whig members of the Senate from the South opposed the confirmation of these appointments, and they were not acted on until Mr. Fillmore became President of the United States, when it was determined to reject them. Mr. Gwin and Mr. Frémont had just been admitted into the Senate, and Mr. Seward appealed to Mr. Gwin not to become a party to this combination; that as Mr. Fillmore was then the leader of the Whig party in the United States, with which the Democratic party in future would have to contend, he should not have the advantage of having all Mr. Seward's nominees in the State of New York rejected by a Democratic Senate, the vacancies thus created to be filled with Whigs, the followers of Fillmore. Mr. Gwin thought this was bad policy, as Mr. Seward represented it, and stated that if Mr. Seward would fairly name the radical nominees, the "higher law" men, as they were called, and have their nominations called up first, and let them be rejected by the Senate, Mr. Gwin would oppose any further rejections. Through the aid of Mr. [Daniel S.] Dickinson, the Democratic colleague of Mr. Seward, these ultra radical nominees were brought forward first and rejected, and when the name of Mr. Benedict, who was nominated for postmaster at Albany, was called, Mr. Gwin rose and stated that he would not favor the rejection of any other nominations from the State of New York. He was followed by Mr. [Augustus C.] Dodge of Iowa, and as it became apparent that the residue of the nominations would be confirmed, a senator friendly to Mr. Fillmore moved for a recess for a short time, and all the pending nominations from New York were withdrawn by Mr. Fillmore, and other nominations made.

When Mr. Pierce became President [in March 1853], the usual rush for the Federal offices on the change of an administration occurred, and the number of applicants from California was legion. Mr. Gwin was forced to take a very prominent part in filling those appointments, which brought down upon him a fierce opposition from the disappointed applicants. Twenty-seven of them met in the Metropolitan Hotel in New York, as Mr. Gwin was afterward informed by a very prominent member of that combination, who pledged themselves to each other to assail Mr. Gwin, personally and politically, upon their return home. And thus originated the feud between Gwin and Broderick, which culminated in an attempt on the part of Broderick's friends to elect him to the Senate, as heretofore stated, in which he was defeated, and it still continued until it resulted in the defeat of Mr. Gwin for re-election. The election of both of these gentlemen to the Senate in 1857 it was supposed would heal this feud, but it had quite a contrary effect. When Mr. Buchanan was inaugurated as President, it was charged that there had been a bargain between Mr. Gwin and Mr. Broderick, in which the former had surrendered to the latter the Federal patronage in California under Mr. Buchanan's administration. So far as Mr. Gwin was concerned, there was no truth in this allegation, for it was well known to all of his intimate associates that the harassment that had resulted to him from the distribution of the patronage in Pierce's administration had determined him never again to participate in such a struggle. He had declared often, over and over again, before he was re-elected to the Senate in 1857, this determination, and the only change in position that he made was to make this declaration to Mr. Broderick, written at his solicitation, that he intended to execute this purpose. The letter was written at a moment of great exasperation on the part of Mr. Gwin, whose re-election was then fiercely opposed by some of the most influential men whose promotion to office he had secured. In his cooler moments, no one regretted more than Mr. Gwin himself that in a moment of irritation he had been induced to write such a letter; but it was only the declaration of a purpose which he firmly and steadily carried out during Buchanan's administration. In not a single instance did he recommend an appointment to office from his own State, as the records at Washington will show. That he was often consulted by Mr. Buchanan in regard to appointments in that State is true, but in all these cases Mr. Buchanan applied to Mr. Gwin for his advice and counsel. What Mr. Broderick's purposes were in seeking control of the patronage can only be conjectured. It can be accounted for in but one of two ways: first, that he desired the power and patronage, and second, that in his long contest for a seat in the United States Senate he had come under obligations to numerous friends that he could only repay by securing them the important appointments within the gift of the President in California and in the diplomatic service. Mr. Buchanan resisted the claim of Mr. Broderick to the control of these appointments, which resulted in a breach between the President and the Senator which never healed. It entered into the political contest in California in the State election of 1857. Colonel Weller, who had been defeated by Mr. Broderick in the contest for the senatorship, was nominated by acclamation, by the Democratic party, for governor, and elected by a triumphant majority. The Broderick party for the time being was annihilated, and had no standing in the Democratic party. When Congress assembled on the first Monday in December 1857, Mr. Broderick became an avowed opponent of Buchanan's administration, joined with Senator Douglas and others in opposing his Kansas policy, and continued that opposition to the day of his death. He attempted to resuscitate his party in the State election of 1859, nominating a full ticket of State officers and members of Congress, which ticket was defeated by an immense majority, [Milton S.] Latham being elected governor by a majority of twenty thousand over both the Broderick and Republican tickets.[79]

Referring to remarks previously made, in regard to the appropriations for fortifications at Lime Point, the purchase of the site for that fortification was the basis of one of the many scandals connected with Mr. Gwin's name while he was in the Senate. His activity, energy and success in securing appropriations for the Pacific Coast were well known, in and out of Congress, and the defeated office seekers in the Democratic party who entered into a solemn pledge to destroy him, at the beginning of Pierce's administration, in his private as well as public character, circulated a report in 1853, when an appropriation was made for a mint in San Francisco, that he had urged and succeeded in securing the purchase of the assay works in that city for the purpose of immediately commencing the mint operations, and had received a consideration from the owners of the property for his efforts to secure its purchase by the Government.[80] So it was said, when he urged the purchase of the site of Lime Point, in order that the commencement of work on the fortifications should be immediate, that he urged the purchase at an extravagant price and was to be a participant in the proceeds of that purchase, if [it were] consummated. Those and all other scandals that circulated at that time against Mr. Gwin have long since died away, and [have] left his reputation as a public man and as a private citizen unimpeached. But it is a sad commentary that in our Government able and efficient men who served as members of Congress, who were faithful to their constituents and successful in their efforts in their behalf, are subject to such imputations by rivals whom they outrun in the political field. Some of the greatest and ablest men who have ever been in public life since the formation of our Government have been subjected to such imputations, and this is another defect of our political system, that such men have hangers-on, camp followers, looking out for plunder, and, in instances without number, their influence with members of Congress has enabled them to obtain riches at the expense of lawful claimants against the Government and persons who obtained contracts for the erection of important public works. They characterize themselves as the "Third House," and are known as the "Lobby." They would be more aptly characterized as the *cow boys*, who during the Revolutionary War fought on either side for plunder.

* * *

The first session of the 35th Congress assembled in Washington on the 7th of December 1857. On the 17th of that month, Mr. Gwin offered the following resolution:

> *Resolved*, That so much of the President's message and accompanying documents as refers to the subject of a national railroad from the Mississippi Valley to the Pacific

Ocean be referred to a select committee of nine members to be appointed by the President pro tem.

The Select Committee appointed under this resolution consisted of Mr. Gwin, chairman, Douglas, [Jesse D.] Bright [of Indiana], [Jefferson] Davis, [Robert M. T.] Hunter, Seward, [John] Bell, [Solomon] Foot, and [Alfred] Iverson. As on previous occasions, when on motion of Mr. Gwin a select committee on the subject of the Pacific railroad had been appointed, the most distinguished members of the Senate were placed upon that committee.

This session of Congress commenced a very important era in the history of this country. During that session was laid the foundation of that irreconcilable conflict between the Northern and Southern states that resulted in the Civil War. Every member of Congress was impressed with the dangers that environed the Government, and it was the object of many members of that and the succeeding Congress to avert, if possible, the conflict of sections that was impending. In the formation of this important Select Committee on the Pacific Railroad, which resulted in consultation between the president pro tem of the Senate and Mr. Gwin, the endeavor was made to bring the ablest and most influential members from each section together, that they, on a common ground, might labor to lay the foundation of this important national work, which, when once consummated, would result in an indissoluble union of the states. Next to Mr. Gwin, who was appointed chairman, came Douglas, who was one of the great leaders of the Democratic party, then in opposition to the Democratic President-elect [sic]; then came Bright, his great rival in the Northwest, who had been on various occasions president pro tem of the Senate; then came Jefferson Davis, the great leader of the Southern states, afterwards President of the Southern Confederacy; Hunter of Virginia, chairman of the Finance Committee of the Senate, and the recognized leader of the Democratic party in that body; then Seward, the greatest of all the leaders of the Republican party; Bell of Tennessee, the representative of the old Whig party and its candidate for the Presidency in 1860; Foot of Vermont in the extreme north, and Iverson of Georgia, the Empire State of the South. The discussions and the scenes that occurred in that committee outside of the duties they were called there to perform will never be recorded in history. These great leaders of the various sections discussed the questions that were then imperilling the Government with an earnestness that left no doubt of the honesty of their convictions. Much good resulted from these discussions for the time being. They postponed the evil day when these differences should result in the separation of the states and civil war. While Mr. Gwin, the chairman of the committee, was an almost silent listener in these grave discussions, being one of the middle men in Congress who deprecated the extreme opinions of both sections, he labored diligently in securing the action of the committee in reporting a bill to build the railroad; yet he was painfully impressed with the fact that most of his associates on the committee did not enter heartily into the work before them, and that he had but little to expect from their support of the bill, which they reported on the 18th of January following, and which lay dead on the files of the Senate, only being called up occasionally to be postponed in favor of some of the agitating questions of the day originating from the conflict of opinion between the Northern and Southern states. The session ended without any final action on the bill.[81]

On the 18th of March 1858, Mr. Gwin offered the following resolution:

Resolved, That the Secretary of War be requested to communicate to the Senate what steps have been taken, if any, to punish the parties implicated in the massacre of one hundred and eighteen emigrants to California, at the Mountain Meadows, in the Territory of Utah.

There being no objection, the Senate proceeded to consider the same, and Mr. Gwin addressed the Senate as follows:

I have not called attention to the subject matter embraced in this inquiry before this for the reason that I had supposed that a military expedition would have been organized in California for the purpose of cooperating in Utah Territory with Colonel [Albert Sidney] Johnston. When it is considered that a force composed of as fine a material as the world affords could have left California, and, long before this, could have traversed half their journey to Salt Lake City, it cannot be denied, if the Federal Government need additional troops in Utah, that my supposition had some foundation. Contrary to my own ideas and vote, the executive authority has been denied by Congress the increased military means which were asked; and hence it is now apparent that no large force can be sent from California to Utah.

I am afraid that in this we have committed a grave error. I am afraid that if the Federal arms should be resisted by misguided and rebellious men, the power and dignity of our country will not be vindicated by so imposing a force as the serious necessities of the case may require.

But, Sir, I am induced by reasons peculiar to my position as senator from California, to invite your attention to the incidents referred to in my resolution.

In September last, an emigrant train, composed of fifty-six men and sixty-two women and children, according to the best information that I can procure, were passing through Utah Territory, on their way to my own State. They were on our own soil, engaged in no unlawful pursuit; and yet, Mr. President, they were all murdered except a few children. I am unable to give you the details of this horrid massacre, as they still remain shrouded in mystery. All that I can tell you, Sir, is that one hundred and eighteen American citizens, including in this number sixty-two women and children, have been massacred without cause, and that as yet their blood is unavenged.

It is true, Sir, that this outrage was not committed within the limits of California, or we, ourselves, without awaiting the tardy action of the Federal Government, would have sought and obtained a bloody vengeance; but the murdered victims had an intention to become Californians. They had left their homes in what you call the Far West, and, gathering up their household goods, had taken up their march for our golden land of promise. Nay, Sir, when they had reached the fatal Mountain Meadows, their longing eyes could almost behold the snow-covered peaks of our mountain ranges.

In all that constitutes unity of feeling and interest, they had become citizens of California, and as such, Sir, as a senator of that State, I am here to ask an account of the blood of my constituents.

As I before remarked, the details of this awful massacre are not known. There is no doubt that the various Indian tribes in the vicinity of the Mountain Meadows were the immediate agents in this butchery; and Sir, it is lamentable to say that, in the opinion of many well-advised parties, the Mormons themselves were their instigators and approvers. Upon this point no such positive evidence has been received as would justify me in asserting positively that they were guilty; and charity would gladly avail herself of any doubt which would hold our common nature to be free from so horrible a crime.

It is true, Sir, that an intelligent and respectable meeting of citizens of Los Angeles expressed their deliberate conviction that the Mormons were equally guilty with the Indians, and asked the interposition of the President.

But, Sir, there is no doubt that the Indians are culpable, and whether their guilt be shared by the Mormons[82] or not, still their responsibility is the same, and the exactions of vengeance against them are undiminished.

Mr. President, since the Americans commenced to travel over the plains, since our hunters and adventurous trappers penetrated the remote valleys and gorges of the vast country lying between the Mississippi and the Sierra Nevada, since the Indian tribes between the Oregon and Sonora lines first heard the American name, no such reverse, no such loss, has been inflicted on us, as the destruction of these one hundred and eighteen emigrants. We are accustomed to pity the poor emigrants[83] along our frontier line who suffer from the fierce inroads of the Camanches and Apaches; but, Sir, the sad history of their border warfare will show but few, if any, more mournful and disgraceful massacres than the one of which I am speaking.

The intelligence of this massacre has spread throughout the numerous Indian tribes. The impunity with which it was effected, and the richness of the plunder that rewarded it, will be incentive to similar acts. Heretofore, when American citizens traveled together, particularly in large numbers, no Indian tribe would dare to attack them, for fear of the vengeance of a Government represented to them as strong and warlike; but, Sir, if this matter be permitted to go unavenged, if this reverse be unrepaired, our prestige is destroyed, and new and more frequent massacres will take place.

We are now opening up the centre of this continent, we are crossing it with wagon roads and mail lines, and unless we crush these vile and savage tribes with a strong hand, we expose to dreadful massacres our citizens, invited to travel in these inhospitable regions by our own action.

I have before remarked that these emigrants were murdered without cause. There was a report, derived from the Mormons, that the emigrants had poisoned the Indians back at Corn Creek; but investigation has proved this statement to be utterly unreliable, and I have no hesitation in stating my belief that it is a calumny upon the unburied dead. Yes, Sir, on the unburied dead! No Christian hand has ever extended the rites of sepulture to the bodies of these victims; and an American who traveled near there, in a Mormon train, a few days after, was informed, by Mormon's living in the vicinity, that it would be unsafe to attempt their burial.

Therefore, Sir, I ask that the Secretary of War may be charged to investigate this matter. If this be proved true, I hope that an expedition will be sent from southern California to inflict upon the guilty parties a vengeance so summary as to be talked of with terror in every wigwam in the Great Salt Lake basin.

General [Samuel] Houston of Texas, who was always friendly to the Indians and was charged with having an Indian wife in some portions of his early erratic career, objected to Mr. Gwin's resolution, and the following discussion took place between him and Mr. Gwin:

Mr. Houston. I think the resolution would be more perfect if it were to require an inquiry to ascertain who did this act—to find out first who perpetrated this act. Before we punish them, I think we had better ascertain who they were.

Mr. Gwin. We know that our fellow citizens were murdered. There is not one left to tell the story.

Mr. Houston. Some persons killed them. The Mormons are suspected of it. Some Indians must have been in the vicinity. Now, Indians frequently go several hundred miles to start an expedition for the purpose of killing the Indians resident near that place; and Indians from another quarter may come there, and be inculpated and brought into jeopardy, while those who committed the crime escape. I think the inquiry would be more proper to ascertain who perpetrated the act, and not make war without any foundation.

Mr. Gwin. It is well known that the Indians in the neighborhood had a part of the spoils. That has been ascertained. They were implicated; they ought to be punished and everyone to whom it can be traced. I have no doubt that an expedition, if sent there, could soon ascertain the tribe of guilty Indians, and the white persons, if any, who instigated it, as has been charged.

Mr. Houston. That would be very unsatisfactory evidence, because Indians traffic, as well as white people, and exchange commodities. The murderers may have stripped them, and in passing back may have disposed of the articles to the tribes [contiguous] to where the massacre was perpetrated. I am opposed to this indiscriminate warfare upon Indians, or Mormons, or any other people until their guilt is ascertained. I want the facts as to who perpetrated the crime ascertained, and then inflict punishment according to the offence. But to imagine that somebody has done it, and therefore that someone must be killed or massacred in retaliation, is not the way to retaliate; it is the way to produce war by inflicting chastisement, as they call it, on people who have perpetrated no offense on the Government. That is the way our Indian wars are kept up. The Treasury would be drained of hundreds of millions annually, if every occasion of an outrage were to be immediately redressed by falling upon the first Indians upon our extended frontier that are suspected, or upon any tribe, because they had in their possession articles taken on the occasion of a massacre.

A resolution requiring the Secretary to ascertain and report the facts, I should be glad to pass; and if it can be ascertained who were the perpetrators of the deed, inflict upon them a punishment commensurate with their offense; but do not fall indiscriminately on the Indians who are at peace on our borders, and thus provoke hereafter the massacre of perhaps ten for every one that has fallen. We know that the Indians, if they can, never go unavenged of injuries done to them, and you may attack an innocent tribe that had no participancy in this transgression and inflict on them a great wrong. Redress on their part is the consequence, and other innocent persons have to fall victims to this indiscriminate mode of warfare that we are conducting on our frontier.

Mr. Gwin. I did not think that a member of the Senate of the United States could be found who would object to punishing what we know has been one of the most outrageous massacres that has ever been committed in the country. What does the Senator propose? That we shall make inquiries; that is to say, send persons there to be murdered as these emigrants were. I ask that a force shall be sent there that shall punish these persons, and they will only punish them when it is ascertained who they are. That is what I propose. I want a force sent there of sufficient power to inflict the most condign and summary punishment on these murderers, who have massacred men, women, and children—American citizens—passing peacefully through the country, and then, after they were murdered and left unburied, bring forth a false accusation that they had attempted to poison the Indians, as some excuse!

It is a charge which has never been sustained by any testimony. All that I ask is that the murderers shall be punished. I do not want innocent Indians attacked, and I do not expect they will be attacked. They have made this attack on American citizens. On nearly the only emigrant route now open to California, this massacre has taken place.

> We hear a great deal of sympathy for the massacres of citizens by the Apaches and other tribes of Indians, but there is nothing like this atrocious deed in the history of our country. Not one of the whole party of one hundred and eighteen was left. They only spared a few children under five years of age, in order to make slaves of them; all the adults were murdered, so that they should not have an opportunity to divulge who committed this terrible crime. I want a force to be sent there to make the inquiry, and then to inflict punishment. That is all I ask.[84]

Unfortunately Mr. Gwin's earnest endeavors to have prompt steps taken to punish these murderers were not supported at the time. But nearly twenty years thereafter, one of these murderers, one of the principal Mormon leaders, was tried for this great crime, convicted, and executed, and every suggestion made by Mr. Gwin in the above debate was verified by the testimony given in the trial of [John D.] Lee, the Mormon chief and murderer.[85]

During the years 1857 and 1858, there were many bands of marauding Mexicans that were constantly crossing the boundary between the two countries, and robbing and murdering our citizens. A notable instance was that of a citizen of Arizona, Mr. [Jesus M.] Ainsa, which is fully stated in the resolutions of the State of California, on the 15th of May, presented to Congress with the following remarks of Mr. Gwin:

> Whereas, J. M. Ainsa, an American citizen, pursuing a peaceful occupation on American soil, was, on the night of the 10th or 11th of April, 1857, arrested by an armed band of Mexicans, at the store of Messrs. Belknap & Dunbar, in the Gadsden Purchase, and conducted thence, a prisoner, in chains, to Hermosillo, and thence to the port of Gu[a]ymas, in Sonora, where he has since been detained as captive; and whereas, it is the duty of the American Government, at all times and under all circumstances, to protect the lives and property of its citizens: Therefore,
>
> *Resolved*, That the Governor of California be instructed, and he is hereby authorized, to communicate with the President of the United States, setting forth these facts and such other testimony as may be furnished him in the premises, and requesting that officer to use the power of the General Government, so far as he is enabled, to effect the release of the said Ainsa, and his restoration to all the rights and immunities of which he was possessed before said arrest and imprisonment.
>
> *Resolved*, That the governor be requested to forward copies of these resolutions to the President of the United States, and each of our senators and representatives in Congress.
>
> Mr. Gwin. Mr. President, the young gentleman, Mr. Ainsa, to whom these resolutions of the legislature of the State of California refer, is a brother-in-law of the gallant Colonel [Henry A.] Crabb, who, with his brave associates, was massacred in Sonora, more than a year ago, through the instrumentality of the very man who invited and advised the expedition. The history of that bloody tragedy is unwritten; and it seems to be the earnest endeavor of those who planned the butchery of that ill-fated party to destroy all evidence of the part they acted in inviting Colonel Crabb into the country. Mr. Ainsa is perhaps the only living witness who could tell the whole of this horrible history; hence his seizure on American soil, and subsequent detention as a captive at Gu[a]ymas.
>
> Mr. President, I cannot restrain the expression of indignant denunciation of the atrocious acts of murder, robbery, and captivity, to which our citizens on the borders of Mexico and the northern Pacific Mexican coast have been subjected to within the last few years, and the absence of successful efforts on the part of our Government to visit

the guilty parties with summary punishment. In the case of Mr. Ainsa, he was in the employ of Mr. [Edward E.] Dunbar, an American citizen engaged in commercial pursuits within our boundaries. At the same place, four American citizens were ruthlessly murdered by Mexicans stimulated by their desire for plunder and hatred of our people. They have gone unwhipped of justice, as have the captors of young Ainsa. His father [Agustín Ainsa], now and for many years a respected citizen of California, whose daughters are intermarried with our most respected citizens, is a native of Sonora; but is now, with his sons, an American citizen. Since the capture of this young man, he has been forced to sign papers denying that he was an American citizen, to put a stop to the intervention of our Government in his behalf. His case was brought before the senators and representatives in Congress from California last summer by his distressed family; and we united in a letter to our Minister to Mexico, earnestly urging him to exert his influence to procure Mr. Ainsa's release from captivity and restoration to his home.

In reply to our letter of the 8th of August last, he said that the President of the Republic, General [Ignacio] Comonfort, had "that day issued an order that Ainsa should be restored to Sonorita, where he had been illegally seized, and at the proper costs of the Mexican Government," thus confessing all the facts charged. The authorities of Sonora have paid no attention to the order; and as Mr. [John] Forsyth, our Minister, further says: "This Government has not a shadow of authority in Sonora; in fact, that state is as alien to this capital as is San Francisco; and when, as I thought, Mr. Ainsa had been set at libery, according to the *engagements* of the Government, I find, by your letter, that he has not; and as this country is now in revolution, I find it utterly impossible to do anything in this matter until peace and order are restored."

And when, Mr. President, will that time come? And are our citizens to be held captive because there is no stable government to be held responsible for these detentions? I have applied to the Secretary of the Navy to have a steamship of war ordered to the Mexican Pacific Coast, to protect our citizens in their lives, liberty, and property; and have received the response that none can be spared from other service. I shall move to refer these resolutions of my State to the Committee on Foreign Relations; and earnestly ask their attention to the subject. I hope this Congress will not adjourn before means are placed at the disposal of the Government to demand not only the release of Mr. Ainsa, but to redress the numerous outrages perpetrated upon our citizens in that portion of the Mexican Republic. I move that the resolutions be referred to the Committee on Foreign Relations, and be printed.

The motion was agreed to.[86]

But Mr. Gwin persisted with the demand on the Navy Department for a ship-of-war at Mazatlan, and one was sent, and orders were given to bombard the city, if Mr. Ainsa was not released; the result of these orders was that he was set at liberty.

Mr. Gwin followed this action on the 17th of May by a joint resolution for the adjustment of difficulties with the Republics of New Granada, Central America, and Mexico, and accompanied it with the following remarks:

Mr. President, I have adopted, as near as the nature of the subject I wish to have referred to the Committee on Foreign Relations would permit, the very words of the joint resolution which passed the Senate a few days ago, having reference to our difficulties with Paraguay, in order that no new question would have to be considered by the committee in acting upon it. It cannot be denied that we have been trifled with by the Governments of New Granada and Nicaragua. The treaties made by their Ministers there have been, in one instance, so altered as to be almost an insult to this Government;

> and in the other, so delayed as to place it out of the power of the President, even if it is ratified, to lay it before the Senate before we adjourn. In both of these states, and especially the former, our citizens have been murdered and plundered, and we have had no redress. I include the other Central American States, because I have no doubt, if the President is authorized to demand reparation from those States, many cases will present themselves where our citizens have been grossly outraged. Such instances in Mexico are too numerous to require any notice of them in detail.
>
> Sir, we are becoming a by-word with the whole civilized world for the neglect of our citizens in foreign states. No wonder Great Britain thinks she can, with impunity, search our vessels in the Gulf of Mexico; we never resent anything. While that Gulf is swarming with British cruisers, we have afloat but one vessel, I learn—the *Fulton;* formerly, I believe, a ferry-boat, turned into an indifferent ship-of-war. I want the responsibility brought directly home to some one branch of the Government to settle these difficulties, which is the cause of my offering this resolution. I move that the joint resolution be referred to the Committee on Foreign Relations, and printed.

Other senators joined with Mr. Gwin in insisting upon the Government's prompt interference in protecting our citizens in foreign countries, which resulted as before stated, in sending a ship of war to Mazatlan in Mexico, and another to Central America, and a monitor to Paraguay.[87]

Additional legislation for the Pacific Coast during that session of Congress was principally confined to appropriations to execute existing laws. The time of Congress was taken up by the discussions of that absorbing question, the Kansas and Nebraska difficulty, and the contest on that subject became more embittered the more it was discussed. Mr. Douglas separated himself from the President as the head of the Democratic party, and was followed by a small number of Democratic senators, who made fierce warfare upon the policy of the President. The two Senators from California separated upon this question, Mr. Gwin siding with the administration, and Mr. Broderick with Mr. Douglas; but it was well known in the Senate at the time that while Mr. Gwin did not choose to have an open issue with the administration on this question and join with those Democratic senators who went with Mr. Douglas, yet he dissented from the Democratic party led by Mr. Buchanan in the policy that they had adopted in Kansas. He had opposed that policy in 1854, when the Kansas and Nebraska territorial bill was before Congress; he had opposed it again in 1857, yet did not permit his difference of opinion with the administration on this isolated question to sever his connection with the Democratic party, as represented by the administrations of Pierce and Buchanan.[88] His colleague, Mr. Broderick, took a different position. He had griefs against Mr. Buchanan in regard to the distribution of public offices in California. On his return to the State, after taking his seat at the extra session of the Senate called in March 1857, he was outlawed by the Democratic party. His competitor for the Senate, Colonel Weller, was nominated by acclamation by the Democratic party for governor, and the whole state organization was opposed to Mr. Broderick. He therefore gladly availed himself of the split between Douglas and

Buchanan, and became an earnest and fiery opponent of Mr. Buchanan in his Kansas policy. The result of his course at this period culminated at the close of the 35th Congress in his organizing a new party in this State. The result of that movement will be more particularly discussed in the future.

(To be continued)

NOTES

72. See *Congressional Globe*, 33d Cong., 1st sess., pp. 876-83.

73. See McPherson, *op. cit.*, pp. 222-24

74. Eagle, a gold coin of the United States, of the value of ten dollars;—from the eagle on the reverse.

75. A full discussion of this contest and its aftermath, but biased against Gwin, may be found in Jeremiah Lynch, *A Senator of the Fifties* (San Francisco, 1911), pp. 140-226; O'Meara, *op. cit.*, pp. 1-254; and Bancroft, *op. cit.*, VI, 643-739.

76. A brief but unreliable reference is Alvin Fay Harlow, *Old Post Bags* (New York: D. Appleton & Co., 1928), pp. 364-69. Popular and improved accounts are Arthur Chapman, *The Pony Express* (New York: G. P. Putnam's Sons, 1932), and Glenn Danford Bradley, *The Story of the Pony Express* (Chicago, 1913). Thoroughly reliable information may be found in LeRoy Hafen, *The Overland Mail 1849-1869* (Cleveland: Arthur H. Clark Company, 1926).

77. See *Congressional Globe*, 32d Cong., 1st sess., p. 1770; *Statutes-at-Large*, IX, 670; and McPherson, *op. cit.*, pp. 181-84.

78. See *Congressional Globe*, 34th Cong., 3d sess., pp. 296-98.

79. For elaboration of these developments, see O'Meara, *op. cit.*, pp. 193-214; Lynch, *op. cit.*, pp. 181-98; and Bancroft, *op. cit.*, VI, 678-739.

80. Bancroft, *op. cit.*, VI, 667-68, makes the implications referred to by Gwin. It appears that Bancroft's insinuations of crooked dealing and of profits accruing to Gwin in the transactions are based on an alleged exposure by a writer in the Marysville *Herald*, September 26, 1854, since no other evidence is adduced.

81. See *Congressional Globe*, 35th Cong., 2d sess., pp. 49-56, 71-78, 107-8, 155-59, 233-44, 260-66, 304, 325-34, 352-60, 373-84, 415-20, 442-49, 476-77, 490, 602-9, 623-34. Also *cf.* McPherson, *op. cit.*, pp. 227-29.

82. The MS reads "Indians," an obvious slip. *Cf.* report in *Congressional Globe.*

83. Report in *Congressional Globe* reads "Mexicans" for "emigrants."

84. These remarks, with slight additions, may be found in *Congressional Globe*, 35th Cong., 1st sess., pp. 1176-77.

85. For an account of the trial and confession of Lee, see Hubert Howe Bancroft, *History of Utah, 1540-1886* (San Francisco, 1889), pp. 543-71.

86. For an account of the Ainsa incident, see Rufus Kay Wyllys, "A Tragedy of the Sonora Frontier," in The *Pacific Historical Review*, IX (June 1940), 183-94. For confirmation of the action taken, and the complete remarks of Gwin, see *Congressional Globe*, 35th Cong., 1st sess., p. 2158.

87. For Gwin's full discussion of the question and the expressed attitude of other senators towards it, see *ibid.*, pp. 2197-98.

88. Gwin again here clearly states his non-slavery attitude. In the face of Gwin's non-slavery statements and his actions from the time he arrived in California, it is difficult to understand the attacks on him as a leader of vicious southern "chivalry" seeking by fair means or foul to further slavery interests, such as we have in Bancroft, *op. cit.*, VI, 678-739, and in other writings until recent years.

Recent Californiana

A Check List of Publications Relating to California

BOOKS AND PAMPHLETS

[ANONYMOUS]
Pacific Adventures; Number One: The King of California; an Excerpt from an Eighteenth Century Account of Drake's Voyage around the World. San Francisco: The Book Club of California, 1940.

CAUGHEY, JOHN WALTON
California, New York; Prentice-Hall, Inc., 1940. xiv + 680 pp. $5.00. Illustrated with many reproductions of interesting old prints.

CLELAND, ROBERT GLASS
The Place Called Sespe; the History of a California Ranch. Los Angeles: Privately printed, 1940. 120 pp., folding map.

DAY, A. GROVE
Coronado's Quest. The Discovery of the Southwestern States. Berkeley and Los Angeles: University of California Press, 1940. xvi + 419 pp., folding map, drawings and map in text. $2.50.

ELWOOD, LOUIE BUTLER
Queen Calafia's Land; an Historical Sketch of California. San Francisco: The Grabhorn Press [Gelber-Lilienthal, Inc.] 1940. [xii] + 108 + [7] pp., ill. $6.00.
An attractively printed and well written sketch, giving the sweep of California history from its earliest beginnings in an authoritative manner. In the appendix is an excellent check list entitled "A few of the thousands of volumes in which the reader might browse to acquire a fuller knowledge of California's romantic past." Two of the four very beautiful illustrations are published here for the first time. The edition is limited to 325 copies, of which only 200 are for sale.

RAUP, HALLOCK F.
San Bernardino, California; Settlement and Growth of a Pass-Site City. [Reprinted from *University of California Publications in Geography*, Vol. 8, No. 1, July 1940.] 63 pp., ill.

TINKCOM, HARRY MARLIN
John White Geary, Soldier-Statesman, 1819-1873. Philadelphia: University of Pennsylvania Press, 1940. [viii] + 155 pp., frontis. $1.75.

U. S. WORKS PROJECTS ADMINISTRATION
History of San Francisco Journalism. Volume VI. History of the Physical Growth and Technological Advance of the San Francisco Press. By Charles Holmes and Isom Shepard. [vi] + 163 pp., ill. [Mimeographed.]

——Inventory of the County Archives of California. No. 39, The City and County of San Francisco. Vol. II, May 1940. vi + 418 pp. [Mimeographed.]

——Inventory of Federal Archives in the States. Series V, Department of Justice, No. 5, California, 1940. iv + 109 pp. Series XI, Department of Labor, No. 5, California, 1940. vi + 225 pp. [Mimeographed.]

——Northern California Historical Records Survey Project. Division of Professional and Service Projects. Sponsored by the Department of State of California. Co-sponsored by the Society of California Pioneers. Calendar of the Major Jacob Rink Snyder Collection of the Society of California Pioneers. [iv] + 107 + [1] pp. [Mimeographed.]

ARTICLES IN PERIODICALS

BEATTIE, GEORGE WILLIAMS

Where was the Battle of Chino Fought? In *The Quarterly*, Historical Society of Southern California, Vol. XII, No. 2 (June 1940), pp. 62-69, map.

——California Names–A Gazeteer, Chapters X, XI, and XII. In *Westways*, Vol. 32, No. 6 (June 1940), p. 30; No. 7 (July), p. 24; No. 8 (August), p. 25.

CHALFANT, W. A.

Cerro Gordo. In *The Quarterly*, Historical Society of Southern California, Vol. XII, No. 2 (June 1940), pp. 55-61, frontis.

CONDÉ, BRUCE

Santa Ana of the Yorbas, Which Might Have Become Pastoral California's Greatest Semi-Feudal Hacienda. In *The Quarterly*, Historical Society of Southern California, Vol. XII, No. 2 (June 1940), pp. 70-79, ill.

DRURY, CLIFFORD M.

The Beginnings of the Presbyterian Church on the Pacific Coast. In *The Pacific Historical Review*, Vol. IX, No. 2 (June 1940), pp. 195-204.

GANOE, JOHN T.

The Pacific Far West One Generation after the Frontier. In *The Pacific Historical Review*, Vol. IX, No. 2 (June 1940), pp. 205-17.

HANNA, PHIL TOWNSEND

Hail to Alarcon, Unsung Discoverer of California. In *Westways*, Vol. 32, No. 8 (August 1940), pp. 8-9, ill.

MACMULLEN, JERRY

That Rebel Whistler. In *Westways*, Vol. 32, No. 6 (June 1940), pp. 20-21, ill.

An account of Whistler as a draughtsman for the U. S. Coast Survey and his improving the etching of Anacapa Island with two flocks of gulls.

POWELL, LAWRENCE CLARK

Flumgudgeon Gazette in 1845 Antedated the Spectator. In *Oregon Historical Quarterly*, Vol. XLI, No. 2 (June 1940), pp. 203-11. [Also reprinted as a pamphlet.]

——The Remarkable Contempt Case of Philosopher Pickett. In *Interchange Fortnightly*, Vol. I, No. 3 (June 28, 1940), pp. 44-45.

TAYS, GEORGE

Frémont Had No Secret Instructions. In *The Pacific Historical Review*, Vol. IX, No. 2 (June 1940), pp. 157-71.

WYLLYS, RUFUS KAY

Henry A. Crabb–A Tragedy of the Sonora Frontier. In *The Pacific Historical Review*, Vol. IX, No. 2 (June 1940), pp. 183-94.

Book Reviews

LIFE IN THE ROCKY MOUNTAINS, a Diary of Wanderings on the Sources of the Rivers, Missouri, Columbia, and Colorado from February, 1830, to November, 1835. By W. A. Ferris, then in the employ of the American Fur Company, and supplementary writings by Ferris, with a detailed map of the fur country, drawn by Ferris in 1836. Edited, and with a Life of Ferris, and a History of Explorations and Fur Trade, by Paul C. Phillips. Denver, Colorado: Fred A. Rosenstock, The Old West Publishing Company, 1940, xcv + 1 l. + 365 pp., 5 ill., map, $5.00.

The annals of the fur trade and Rocky Mountain exploration by the American trappers have been enriched by the publication of these voluminous writings of Warren Angus Ferris. The beaver hunters pushed westward from the Missouri with the Astorians in the van, and were followed a few years later by the Ashley-Henry parties who established a permanent route across South Pass. The primary explorations in the Rockies and the Great Basin were made from 1823 to 1830 in a series of intrepid scouting expeditions which extended into the deserts of Utah, Arizona, and Nevada, and across the length and breadth of interior California.

Ferris came upon the scene in the early 30's when the contending independent companies had reached such a pitch of frenzied rivalry that even the proximity of marauding bands of redskins rarely halted the race to the headwaters of the beaver streams.

Ferris was then part and parcel of that multiplex and sweeping westward movement which had such a profound effect upon the destinies of Oregon and California and which in various forms has continued to the present day.

He entered the mountains in the employ of the Western Department of the American Fur Company and became its most famous chronicler. The diary he kept was elaborated into the long series of articles, published from 1842-44 in the *Western Literary Messenger*, of Buffalo. Until recently no complete file of this obscure little magazine was known. The supplemental articles published in 1872 and 1873 in the Dallas *Herald* had been wholly forgotten. The remarkable manuscript map, compiled by Ferris, is a most unexpected and fortunate discovery. Its existence had not been suspected by the historians.

Ferris' records of the movements of the trappers; the three-cornered fight between the American, the Rocky Mountain, and the Hudson's Bay companies; the activities of the independent traders; the early exploration of Yellowstone Park and descriptions of its scenery, were of course known to Chittenden and other historians of the fur trade. They have not previously been available in their entirety. Especially noteworthy is the remarkably detailed map giving the names and positions of scores of streams, lakes and mountains of the Rockies as they were known to the enterprising and courageous mountain men.

Ferris was especially keen to report on the origin of place names and other information of geographic interest. The note appended to the map lays to rest an old ghost which has been flitting about in the literature of the West. After the first circumnavigation of Great Salt Lake, it was reported in *Niles' Register* that the men who sailed on this coasting voyage spent twenty-four days on the trip and that although "they did not exactly ascertain its outlet [they] passed a place where they supposed it must have been." Ferris says they were about forty days on the way and that the lake had no visible outlet.

Probably the map is the most valuable document in the book, certainly it is one of the most interesting discoveries in western history since the resurrection of the journals of Jedediah Smith and Robert Stuart. One of the most curious things to be found on the map is the statement that the desert to the west of Great Salt Lake and Sevier Lake was unknown to the trappers "who frequently endeavored to penetrate it in quest of Beaver but were always unsuccessful." Can it be that the return trip of Jedediah Smith in 1827, to say nothing of Capt. Joseph Walker's California expedition, were unknown to Ferris or had been forgotten by him as early as 1836?

The editor and the publisher may congratulate themselves on an attractive and substantial contribution to western history. The labor of gathering the scattered sources for this work must have resembled the difficulties confronting Maurice S. Sullivan when he set out to track down the heirs of Jedediah Smith.

Simultaneously with, or slightly prior to, the publication of this book, another appeared on the same subject:

LIFE IN THE ROCKY MOUNTAINS 1830-1835, by Warren Angus Ferris. Arranged by Herbert S. Auerbach. Annotated by J. Cecil Alter. Salt Lake City, Utah: Rocky Mountain Book Shop, "Copyright April, 1940," 284 pp., ill., map.

This has been inexpensively printed by offset. It includes only the material from the *Literary Messenger* with the addition of an appendix containing facsimiles of the Philadelphia *Port Folio* article on Hugh Glass (Wagner-Camp, No. 28), the *Niles' Register* reprint of the Sweet Lake letter concerning Yellowstone, and the article by Ferris in *The Wasp* of Nauvoo. The map has been made for the book, and the four illustrations are from Bodmer's drawings in the Maximilian *Reise*, but this source is not stated.

Several years ago, Mr. Joseph J. Hill of the Bancroft Library arranged the writings of Ferris for the printer. That manuscript apparently remains unpublished.

CHAS. L. CAMP

News of the Society

Meetings of the Society

The Society held its June luncheon meeting in Sacramento on Sunday, June 16, 1940. Through the courtesy of the Sisters of Social Service, the luncheon was served by the wards of the Sisters at the old Stanford home in Sacramento. The speaker was Miss Caroline Wenzel. As her paper is printed in this issue of the QUARTERLY, no minute of its contents is here given. Miss Mabel R. Gillis, the Librarian of the State Library, and her staff made the arrangements for this very successful meeting and opened the Library after the luncheon so that the members of the Society and their friends could inspect it. Miss Eleanor McClatchy furnished some very interesting table decorations, and copies of the *Sacramento Guide Book* were presented to the guests through the courtesy of the Sacramento *Bee*. After visiting the Library, many of the members went on to the Crocker Art Gallery and Sutter's Fort.

There were seventy-four members and guests at the luncheon.

On Tuesday, August 20, 1940, the Society held a luncheon meeting at the Sir Francis Drake Hotel. Mrs. Arthur A. O'Neill was the speaker, and her subject, "The Story of the Wreck of the *Rio de Janeiro*." Mrs. O'Neill's husband, the late Dr. O'Neill, was the ship's surgeon at the time of the disaster. She described the circumstances attending the latter part of the ill-fated voyage and stated that the ship had anchored in a fog awaiting a favorable time to enter the port after taking on the pilot. She also spoke of the strong tidal currents and other factors of danger that are encountered by vessels entering the Golden Gate.

At about 4:00 A. M. the fog lifted and both captain and pilot agreed to get under way. At the time, all the entrance lights were in sight. Almost immediately a tule fog came from within the bay, blotting out all lights. Shortly thereafter the ship struck on Fort Point Reef and within a few moments slipped off and sank. Although that morning the neighborhood was dragged, no trace of the vessel was found, and the wreck has never been located. To conclude her talk, Mrs. O'Neill read her husband's record of his own experiences and rescue.

There were fifty-four members and guests present.

ANSON S. BLAKE.

Gifts Received by the Society

May 15, 1940, through September 1, 1940

BOOKS AND PAMPHLETS

From MR. ALBERT M. BENDER—Little, Evelyn Steel, *26 Lead Soldiers; a Salute to Printers*, Mills College; Eucalyptus Press, 1939; Markham, Edwin, *The Man with the Hoe;* Colophon: "To Edwin Markham in his eighty-sixth year from Albert M. Bender and Cecil & James Johnson"; [Morley, Grace L. McCann], *Drawings by Charles Stafford Duncan*, from the Albert M. Bender Collection, San Francisco Museum of Art [1938]; Pacific Adventures No. 1: *The King of California; an Excerpt from an Eighteenth Century Account of Drake's Voyage around the World*, S. F.: Book Club of California, 1940.

From BINFORDS & MORT—W. P. A. Writers' Program, comp., *Oregon, End of the Trail*, American Guide Series, Portland: Binfords & Mort [1940].

From MR. FRED J. BOWLEN—Dobie, Charles Caldwell and Bowlen, Frederick J., *The Postamp Pageant of San Francisco* [S. F.: O. Casperson & Sons, 1940].

From MR. CLARENCE COONAN—Riddle, Jeff C., *The Indian History of the Modoc War and the Causes That Led to It* [1914].

From PROF. E. O. ESSIG—Essig, E. O., *Fifty Years of Entomological Progress*, Part IV, 1919 to 1929, reprinted April 16, 1940, from *Journal of Economic Entomology*, 33 (1):30.

From FIREMAN'S FUND INSURANCE COMPANY—Todd, Frank M., *A Romance of Insurance*, S. F.: Fireman's Fund Insurance Company, 1929.

From GELBER-LILIENTHAL, INC.—Elwood, Louie Butler, *Queen Calafia's Land*, S. F.: Grabhorn Press, 1940.

From MESSRS. PAUL C. PHILLIPS AND FRED A. ROSENSTOCK—Ferris, W. A., *Life in the Rocky Mountains*, Denver: The Old West Publishing Company, 1940.

From MR. LAWRENCE CLARK POWELL—*Interchange Fortnightly*, Vol. I, No. 3, June 28, 1940, containing "The Remarkable Contempt Case of Philosopher Pickett," by L. C. Powell; Powell, L. C., *Flumgudgeon Gazette in 1845 Antedated The Spectator*, reprinted from *The Oregon Historical Quarterly*, June 1940.

From PRENTICE-HALL, INC.—Caughey, John Walton, *California*, N. Y.: Prentice-Hall, Inc., 1940.

From STANFORD UNIVERSITY PRESS—McGlashan, C. F., *History of the Donner Party; a Tragedy of the Sierra*. Stanford: Stanford University Press, 1940.

From U. S. WORK PROJECTS ADMINISTRATION—History of Journalism in San Francisco, Vol. VI, Holmes, Charles, and Shepard, Isom, *History of the Physical Growth and Technological Advance of the San Francisco Press*, S. F., 1940; Inventory of Federal Archives, Series V, *Department of Justice, No. 5, California*, S. F., 1940; *idem.* Series XI, *Department of Labor, No. 5, California*, S. F., 1940; Northern California Historical Records Survey Project, *Calendar of the Major Jacob Rink Snyder Collection of the Society of California Pioneers*, S. F., 1940; *idem.* Inventory of the County Archives of California. No. 39, *City and County of San Francisco*, Vol II, S. F. 1940.

From MR. HENRY R. WAGNER—Bancroft, H. H., *History of Utah*, S. F., 1891; Brackett, R. W., *A History of the Ranchos*, San Diego: Union Title Insurance and and Trust Company, 1939; Brevoort, James Carson, *History and Its Sources*, an address read before the Long Island Historical Society, May 7, 1868, Brooklyn, 1868; Carmichael, Sarah E., *Poems*, S. F.: Towne and Bacon, 1866; *Coleccion de varios documentos para la historia de la Florida y tierras adyacentes*, Tomo I, Londres: Trübner y Compañia [1857]; Church, John A., *The Heat of the Comstock Lode*, printed for the author, 1880; Engel, Samuel, *Memoirs et observations geographiques et critiques sur la situation des pays septentrionauz de l'Asie et de l'Amerique*, Lausanne: Antoine Chapuis, 1765; Ferris, Warren Angus, *Life in the Rocky Mountains, 1830-1835*, Salt Lake City: Rocky Mountain Book Shop, 1940; Goodwin, C. C., *Poems*, Marysville, Calif.: Herald Office, 1857; Gregg, Kate L., ed., *Westward with Dragoons; the Journal of William Clark* . . . Fulton, Mo.; Printed by The Ovid Bell Press., Inc., 1937; Harris, Harry, *An Appreciation of Donald Ryder Dickey*, reprinted from *The Condor*, March 1934; *idem*, *Notes on the Xantus Tradition*, reprinted from *The Condor*, Sept.-Oct. 1934; *Hispanic American Historical Review*, Vol. XVI, No. 3, Aug. 1936 to May 1940 (15 issues); Howard, Leon, *The Vision of Joel Barlow*, L. A.: The Grey Bow Press, 1937; Howay, F. W., *Builders of the West; a Book of Heroes*, Toronto: The Ryerson Press, 1929; *idem*. ed., *The Dixon-Meares Controversy* (Canadian Historical Studies), Toronto: The Ryerson Press, [1929]; *idem*. ed., *Zimmermann's Captain Cook* (Canadian Historical Studies), Toronto: The Ryerson Press [1930]; Hudson's Bay Company, *Exhibition of Ancient Maps and Charts;* Huntington Library and Art Gallery, many *Annual Reports, Bulletins, Quarterlies* and miscellaneous publications; Iversen, Eva C., *Mission San Miguel Arcangel*, San Miguel, Calif.; Jerrett, Herman Daniel, *California's El Dorado Yesterday and Today*, Sacramento: Press of Jo Anderson, 1915; Johnson, James, *On Richard Henry Dana and Two Years Before the Mast*, S. F.: The Windsor Press, 1936; Kretschmer, Konrad, *Die Entdeckung Amerika's in Ihrer Bedeutung für die Geschichte des Weltbildes*, Berlin, 1892, and *Atlas;* Kroeber, A. L., *A Mission Record of the California Indians*, U. C. *Publications in American Archaeology and Ethnology*, Vol 8, No. 1, May 1908; Lockwood, Frank C., *Story of the Spanish Missions of the Middle Southwest*, Santa Ana, Calif.: The Fine Arts Press, 1934; Marston, George White, *Over the Years*, Claremont: Pomona College, 1937; Nordenskiöld, A. E., *Periplus*, trans. by Francis A. Bather, Stockholm, 1897; Putnam, Eben, ed. and comp., *Lieutenant Joshua Hewes*, privately printed, 1913; Raup, H. F., *Land Use and Water Supply Problems in Southern California: The Case of the Perris Valley*, from the *Geographical Review*, Vol. XXII, No. 2, April 1932; *idem*, *Land-Use and Water-Supply Problems in Southern California: Market Gardens of the Palos Verdes Hills*, from the *Geographical Review*, April 1936; *idem*, *San Bernardino, California: Settlement and Growth of a Pass-site City*, Berkeley and L. A.: U. C. Press, 1940; Revilla Gigedo, Conde de, *Instruccion reservada que el Conde de Revilla Gigedo dio a su succesor en el mando, Marqués de Branciforte sobre el gobierno de este continente en el tiempo que fue su virey*, Mexico: C. Agustin Guiol, 1831; Ruxton, George Frederick, *Life in the Far West*, Edinburgh and London: Wm. Blackwood and Sons, 1849; Spalding, Phebe Estelle, *San Diego and Santiago*, Claremont, Calif.: Saunders Studio Press, 1934; Stetefeldt, C. A., *The Muscular Amalgamator*, S. F., 1892; Stillwell, Margaret Bingham, *Incunabula and Americana, 1450-1800*, N. Y.: Columbia University Press, 1931; Swift, John Franklin, *Robert Greathouse*, N. Y.: Carleton, 1870; Sykes, Godfrey, *The Colorado Delta*, American Geographical Society Special Publication No. 19, 1937; Teggart, F. J., *Rome and China*, Berkeley: U. C. Press, 1939; Tierney, Luke, *History of the Gold Discoveries on the South Platte River*, Pacific City, Iowa, 1859 (photostat negative); Tillock, Alexander, excerpt from *The Philosophical Magazine*, London, 1805, containing "Account of The Voyage Undertaken by the Spaniards to the North-west Coast of America in the Year 1792."; U. S. Senate, 31st Cong., 1st Sess., Ex. Doc. No. 74, *Message from the President of the U. S.*, September 1850 (In re New Mexico); and other items.

From MR. ROB WAGNER—*Rob Wagner's California Almanack*, L. A.: Times-Mirror Press [1922].

From MISS LOTTIE G. WOODS—Burlingame Country Club, *By-Laws; Officers and Members* [S. F., 1913]; University Club of San Francisco, *By-Laws, House Rules and List of Officers and Members* [S. F., 1903.]

NEWSPAPERS AND MAGAZINES

From MR. ALBERT M. BENDER—*The Wasp*, Vol. LXI, No. 22, May 29, 1909.

From MR. A. S. MACDONALD—*San Franciscan*, Vol. I, No. 3, Jan. 1927; also pamphlets and newspaper clippings.

From MORNING UNION—*Morning Union*, Grass Valley, Aug. 21, 23, 24, 1940.

From MR. JOHN NORMAN—Colfax *Sentinel*, Sept. 22, 1893, and Dec. 22, 1899; *Placer Argus*, Auburn, Oct. 29, 1885; *Placer County Republican*, Auburn, Dec. 15, 1886; *Placer Representative*, Rocklin, Calif., Mar. 25, April 1, 1899; Feb. 29, 1908; *Republican Argus*, Auburn, July 19, 1901; S. F. *Chronicle*, Dec. 8, 1899.

From MR. WILLIAM F. SCHULTE—*The Morning Call*, S. F., Sept. 22, 26, 1881; June 25, 1882.

PICTURES

From MR. M. HALL McALLISTER—Photograph of four sons of Cutler McAllister.

From MRS. HENRY N. KUECHLER—Early photographs of San Francisco: Clay Street Hill R.R. cable car; Grand Hotel, 1874; McCreery's Building, 1888; Masonic Temple, 1867; Palace Hotel, 1875; Platt's Hall, 1860; South Park, 1856, 1865, 1867; Stock Exchange, 1880.

From MISS FRANCES CHIPMAN—Large framed photograph of Judge Samuel Dwinelle.

From MR. HENRY F. FORTMANN—Large colored reproduction of a painting of the *Golden Hinde* by Montague Dawson (framed).

MISCELLANEOUS

From MR. ALBERT M. BENDER—MS, "Is Flogging to Return?" by Fremont Older, Feb. 18, 1935; Song: "San Francisco Our Own," by Julia Schiffer and Francisca Vallejo; various programs, broadsides, and other items.

From INTERNATIONAL PHILATELIC SOCIETY—Receipt for $2.50 for road tax, El Dorado County, 1863.

New Members

NAME	ADDRESS	PROPOSED BY
Alpaugh, Miss Mary L.	Los Angeles	Miss Dorothy H. Huggins
Bixby, Llewellyn	Long Beach	Miss Dorothy H. Huggins
Corbus, Mary MacRae	Los Gatos	Miss Dorothy H. Huggins
Elkins, Felton	San Francisco	Miss Dorothy H. Huggins
Filipello, Mrs. Eugene A.	Monterey	Miss Dorothy H. Huggins
Haman, John O., M.D.	San Francisco	Mr. Warren R. Howell
Harvey, Dr. Charles Lord	Martinez	Mr. Anson S. Blake
Hixson, Morris C.	San Francisco	Mr. Anson S. Blake
Shafter, Miss Helen	Orinda	Miss Dorothy H. Huggins
Wagner, Rob	Beverly Hills	Mr. A. S. Macdonald
Weddell, P. M.	San Jose	Mr. George L. Harding

In Memoriam

JOSEPH MOORE CUMMING

1868-1940

Joseph Moore Cumming died on August 20, 1940, at St. Francis Hospital, San Francisco. Born in San Francisco on February 1, 1868, he was the son of George and Marion Baine Cumming. At the time of his birth, his parents lived in a block of Perry Street over which the approach to the San Francisco-Oakland Bay Bridge now passes. His father was the proprietor of a machine shop at Fell and Market Streets and the inventor of a portable forge that is still used. His mother's father, John Baine, was a San Francisco pioneer and a member of the Vigilance Committee.

In 1885, doubtless at the suggestion of his father, who was deeply interested in the institution, Joseph M. Cumming joined the Mechanics' Institute. He succeeded his father as a trustee of the Institute in 1896, but shortly after resigned from the board to become secretary, a position which enabled him to devote his conspicuous abilities not only to the affairs of the Institute and its library but also to the success of the well-remembered fairs at Mechanics' Pavilion. On resigning the secretaryship in 1911, he was re-elected a trustee. In 1930 he became second vice president of the Institute's board; in 1932, first vice president; and in May of the same year, on the death of the president, Dr. Arthur W. Scott, he assumed the presidency. He remained in that office until 1937. As president he was *ex-officio* a member of the Board of Regents of the University of California. He was a trustee of the Mechanics' Institute at the time of his death.

Joining the staff of those who were planning the Panama-Pacific International Exposition in June 1911, he was first assistant secretary, then secretary to President C. C. Moore, and, finally, executive secretary. He became manager of the Down Town Association in 1920 and continued in that position until February 1 of this year. Many other activities helped to fill the life of this busy San Franciscan.

For "distinguished service to the Chinese people in the United States" he was decorated, in 1915, by the Chinese Government with *L'Order de l'Epi d'Or*, the Order of the Golden Wheat.

He was married in 1901 to Virginia Kerr, of a pioneer San Francisco family. Mrs. Cumming died July 5, 1933. Surviving him are his daughter, Mrs. William Palmer Lucas, two grandsons, Reuben K. Metson and Wilfred G. Metson, Jr., and three sisters, Jean, Marian, and Blanche Cumming.

The above is a bare outline. He was a man who had cultivated the high arts of friendship, of tolerance, and of sympathetic understanding. He will be greatly missed.

EDWARD F. O'DAY.

MRS. THEODORE J. HOOVER

1872-1940

Mrs. Mildred Crew Brooke Hoover, wife of Theodore J. Hoover, dean emeritus of the Stanford School of Engineering, and in her own right an authority on California history, died in Palo Alto on September 3 after a short illness. She was born on February 14, 1872, at West Liberty, Iowa, the daughter of Mr. and Mrs. Thomas Snowden Brooke, and spent her childhood in West Branch, Iowa, the birthplace of both her husband and his brother, former President Herbert Hoover. She and her future husband attended the same mid-western college, from which they came to Stanford; but before completing her education in California Mrs. Hoover taught school in West Branch and in Muscatine in her native State. She and Mr. Hoover were married in San Francisco on June 6, 1899. During the years 1899 and 1900 she attended Stanford while her husband was working for his engineering degree, which he received in 1901.

Between that time and 1919, when Mr. Hoover was named professor and head of the department of mining and metallurgy at Stanford, his professional engagements caused him and his wife to take up residence in California mining towns, in Mexico, London and other parts of the world. Until Mr. Hoover's retirement in 1936 the family home was in Palo Alto and on the university campus, after which it was established at their ten thousand-acre Rancho del Oso, on the ocean front of Santa Cruz County, through which runs perennial Waddell Creek and to which spot Padre Crespi the diarist of the Portolá expedition gave the name of Cañada de la Salud on October 20, 1769.

Mrs. Hoover, who was active in civic, art and philanthropic work in both Palo Alto and San Francisco, was a past state regent of the Daughters of the American Revolution and a member of long standing in the California Historical Society. Her researches into early California history resulted in the series of three volumes *Historic Spots in California*, published by the Stanford University Press under the sponsorship of the California State Conference of the National Society of the D. A. R. The thoroughness and authenticity of these books have made them invaluable tools for students in historical research into California's past.

In addition to her husband, Mrs. Hoover is survived by three daughters: Mrs. Cornelius Willis and Mrs. Charles A. MacLean, Jr., of Pasadena, and Mrs. Louise Brooke Hoover, of San Francisco.

DOUGLAS S. WATSON

Marginalia

Francis Seeley Foote is professor of railroad engineering in the Department of Civil Engineering at the University of California. Since 1913 he has directed the surveying camp conducted each summer by his department.

Erwin Gustav Gudde, associate professor of German at the University of California, has previously contributed to the QUARTERLY's pages "The Memoirs of Theodor Cordua" (1933) and a short article on "The Source of the Sutter Myth" (1930). He is also the author, translator, or editor of several books and pamphlets on Sutter and German pioneers.

Lynn Townsend White, Jr., teaches medieval history at Stanford University and recently has been raised from the rank of assistant professor to that of professor. His marriage to Miss Maude Catherine McArthur, the daughter of Mr. Frank McArthur, one of our members, took place on the 10th of this month.

Dorothy Harriet Huggins and Henry Raup Wagner need no introduction to the readers of this QUARTERLY. Dr. Wagner was its first editor and Miss Huggins was his assistant, as she has been to each succeeding editor.

It is with sincere sorrow that we learn of the death, on August 31, of Mrs. Robert E. Cowan, the wife of one of our most faithful and distinguished members.

Among our new members are noted the following:

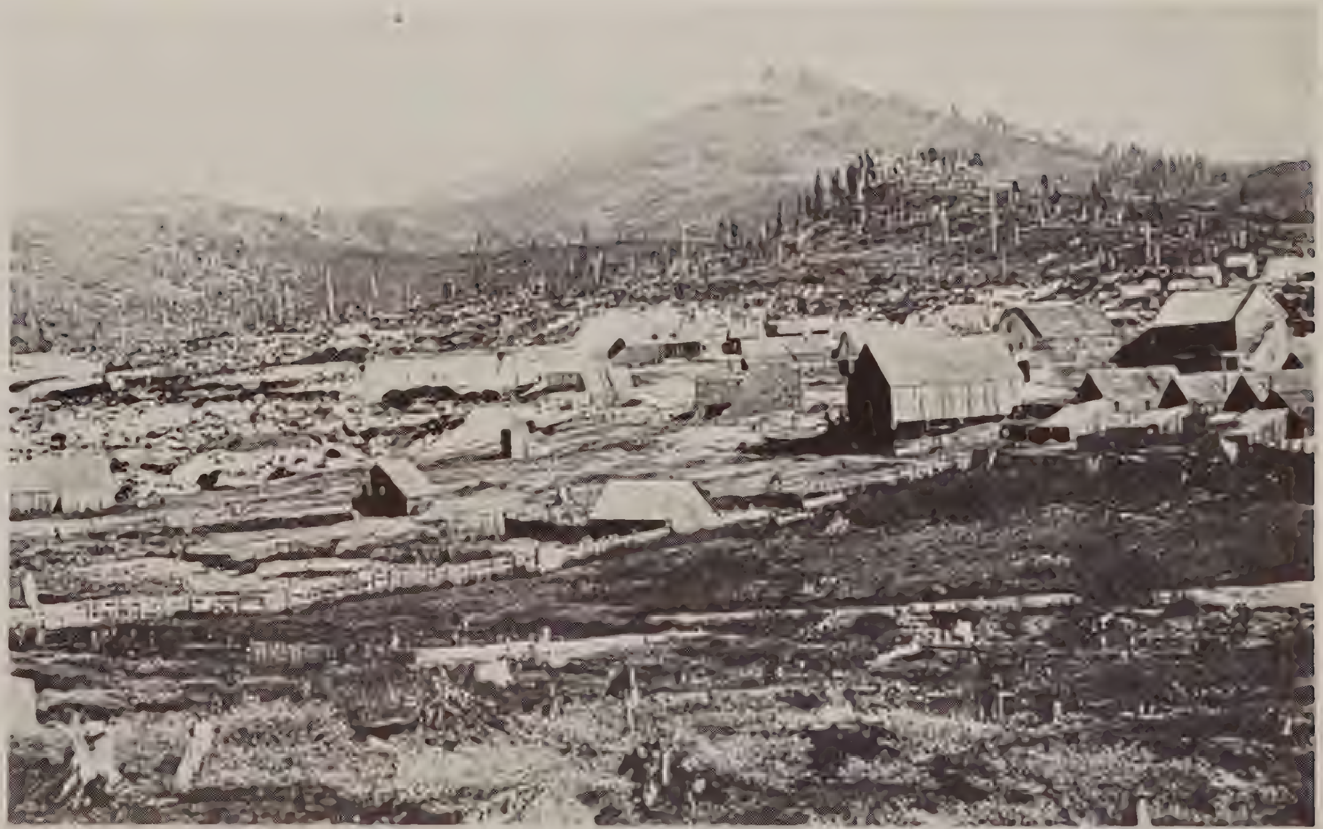
Mr. Llewellyn Bixby is the son of Lewellyn Bixby who first came to California in 1851 via Panama. He returned east in 1853 and, with Benjamin Flint and Dr. Thomas Flint, his cousins, organized the firm of Flint, Bixby & Company and drove two thousand sheep from Illinois to San Gabriel in eight months. The "Diary of Dr. Thomas Flint," in which this trek is described, was published in 1923 by the Historical Society of Southern California. The Bixbys and Flints became owners of large tracts of land in Monterey, Los Angeles, San Luis Obispo, and Orange counties.

Mr. Felton Elkins, author and playwright, is the son of the late Mrs. Kate Felton Elkins and the grandson of Charles N. Felton, who was a member of the State Assembly, 1880-81, representative in Congress from California, 1885-89, and United States senator, 1891-93.

Dr. John O. Haman is a San Francisco physician. His great grandfather, Theodore Ehrlich, was a diamond merchant in Hamburg and St. Petersburg when he heard of the discovery of gold in California. He arrived here in 1852 and went to work for Captain Sutter on the latter's ranch in Sonoma County. The funds he was able to transmit to his wife in St. Petersburg, where she was a lady-in-waiting to the Empress, so impressed her that, without advising her husband, she started for California with her children and household goods, arriving in 1854. Included with her furniture was a piano, which she traded for a ranch in Sonoma County.

Mr. Morris C. Hixson is division manager of the Lamp Department of the General Electric Company. His grandfather, Jasper M. Hixson, a native of Kentucky, came overland to California from Hannibal, Missouri, arriving on August 6, 1849. He returned east in 1852, married, and returned with his wife the same year. He was a commission merchant in San Francisco and is said to have shipped the first green fruit east in about 1870.

Miss Helen Shafter is the granddaughter of James McMillan Shafter who came to California in 1855 and became a prominent resident of Marin County, where he once owned twenty-five thousand acres of land. He was a State senator, 1862-63, a member of the second constitutional convention in 1878, a member of the State Board of Agriculture, 1881-89, and a superior judge in San Francisco, 1890-91.



SAINT LOUIS, SIERRA COUNTY, BEFORE 1867

Saint Louis and Poker Flat in the Fifties and Sixties

From the Jugenderinnerungen *of* HENRY COHN

Translated and Edited by FRITZ LUDWIG COHN

INTRODUCTION

ON MAY 24, 1914, in celebration of his golden wedding anniversary, my grandfather, Henry Cohn, issued in Stettin, Germany, a privately printed pamphlet of fifty-five pages entitled *Jugenderinnerungen*, or *Recollections of My Youth*. Although the reminiscences were written primarily for the enjoyment of his family, many of the scenes recalled appear of sufficient importance to be of interest to a wider circle of readers.

The first part of this autobiographical account has been condensed considerably in translation, and details concerning the family have been omitted. However, the sections dealing with the towns of Saint Louis and Poker Flat are as they appear in the original narrative, except that the style used has required a free translation.

Heiman Cohn was born in Dobrzyn, a small town on the Polish-Prussian border, on April 14, 1831, and at the age of twenty-one emigrated to America. There, and after his return to Germany, he was generally known as Henry Cohn. He became an American citizen in Downieville, Sierra County, California, sometime before 1860, and a member of Saint Louis Lodge No. 86, of the Masonic fraternity. During a visit to his family in 1864, he married and decided to stay in Germany. He settled in Stettin, where he became engaged in the wholesale wine business. He was the father of three sons and two daughters. Carl Cohn, his second son, and his wife are residents of Berkeley, California. Two nephews, Louis Cohn and Alex Cohn, who had come from Europe to join him at Saint Louis and Poker Flat, went to Salt Lake City, Utah, in 1867, and became prominent citizens of that community. Henry Cohn died in Stettin, on July 7, 1915, at the age of eighty-four.

RECOLLECTIONS OF MY YOUTH

In the spring of 1852, just having completed at the age of twenty-one my apprenticeship in a furrier's shop in a small West-Prussian town, I decided to emigrate to America. My parents were absolutely opposed to it, and I had to tell them that I was determined to leave at any event, with the result that they provided me with funds and equipment for the trip. Unable to raise enough money for steamer passage, I sailed on the small two-master, *Lewitzow Lelkendorf*, Captain Günther, which left Hamburg on May 5, 1852, for New York. The small vessel carried two hundred passengers, all of whom were housed in one large room. Open bunks, several above one another, served for sleeping purposes. Although they contained mattresses, every passenger had to provide his own pillow and covers. No special bunk was assigned to any of us, and we had to make arrangements among ourselves. We had to get up very early in the morning and were compelled to go on deck and stay there. Even those seasick and ailing had to get out from below, and if someone refused he was driven on deck under the irresistible compulsion of smoke and pepper. About the food which was always served on deck, I remember only that it was not very tasty. The weather was fair most of the time, even though we were slowed down by unfavorable winds. Finally, after a passage which lasted sixty-four days, we landed in the harbor of New York on July 8, 1852.

As I knew the furrier's trade, I thought it would be best to look for work in this line. I found a job but I held it for only four weeks, realizing that I had been taken advantage of. With the $2.50 which I possessed on my arrival, and $6.50, the result of four weeks of labor, I bought a basket and some dry goods and peddled in the villages near New York. After having spent two and a half years in the states of New York, New Jersey, and a short time in Georgia, I made up my mind to leave this part of the country. For a while I hesitated in which direction I should turn, for California and the Argentine each seemed to be the promised land. Finally, upon receiving letters from a relative who lived in Folsom, Sacramento County, telling me how well he liked the country, I decided to forget about Argentina and to sail for California.

Just before leaving New York, I narrowly escaped the schemes of a swindler. A well-dressed man visited me, telling me that he had heard about my plans and offering me his ticket to San Francisco at a greatly reduced rate, with the explanation that his family had suddenly asked him to return to Europe. I suggested that we call at the office of the steamship line to have the ticket validated. There I was informed that I should consider myself lucky that I had not attempted to use it for the trip, for it was a stolen ticket. The salesman swindler, having waited in front of the office, was promptly arrested after I had explained the situation.

Steamers for Aspinwall, now Colon, left every two weeks. Having bought my through ticket to San Francisco, I left New York on May 5, 1855, and arrived at Aspinwall about eight days later. The little town, terminus for the new Panama railroad whose construction was approximately half finished, was crowded with railroad workers and immigrants. Immediately after our arrival we boarded a train which took us to the end of the constructed line. From there some of the passengers continued on mules, while others, including myself, walked until nightfall. We camped in the open air, placing guards as protection against bandits, although, as a rule, the wealthier people returning from California were more endangered than those going west. At any rate, the night remained calm and nothing happened. The next morning we started at dawn and arrived in Panama, completely exhausted, about four o'clock in the afternoon. I found my baggage in good order after having entrusted it to a Mexican boy for transportation across the Isthmus. Upon our arrival we were greatly disappointed on learning that the steamer *Golden Gate* which was to have taken us north, had been wrecked on the Pacific Coast, supposedly as a result of piracy.[1] Thus we were compelled to wait two weeks for the next steamer in the very unhealthy and disagreeable Panama. I saw little of the town except large churches, dirty streets, and numerous beggars. I was glad when the beautiful steamer *Sacramento* arrived on schedule. The trip was pleasant, in spite of the very hot weather, and after a journey of only twelve days we reached San Francisco on June 10, 1855.

In California, and especially in San Francisco, conditions were in a turbulent state at the time of my arrival. Holdups and murders were daily occurrences, and the culprits usually went unpunished, because most of the judges were corrupt. With the purpose in mind of ameliorating these conditions, a vigilance committee was formed which carried out lynch justice by arresting many of the accused, including some of the judges, and hanging three men from a balcony on Montgomery Street in broad daylight. Soon after these exciting events, better conditions were re-established. San Francisco was a very beautiful city. I saw many fine stores and observed heavy traffic in the streets. The climate was excellent in summer as well as in winter. I never observed rain in California between April and September.

I did not stay long in San Francisco but went to Folsom, the home of David Woldenberg, a friend of my youth. Here I established headquarters and called upon the farmers and miners in the neighborhood, selling them dry goods. Not being used to the summer heat, I contracted malaria and had to consider moving to a cooler district. Since I knew that a cousin of mine, Jacob Heimann, together with H. Mendelsohn, also a relative, operated a business in Saint Louis, Sierra County, in the gold-mining country, I wrote asking them whether they could advise me to come there. In spite of the discouraging reply of bad times and poor opportunities, I set out for the place, first by taking the steamer from San Francisco to Marysville, from there by walking approximately fifty miles into the mountains to La Porte, and finally five miles up to Saint Louis.[2] My relatives were of course very surprised at my sudden arrival but soon discovered that I made myself very useful in their business.

Saint Louis was a very lively gold-mining village, consisting of from twenty to twenty-five wooden houses among which were three good merchandise stores, a cigar store, a bank, Wells Fargo & Co.,[3] a fine French restaurant and hotel, a butcher, a baker, an American and a German doctor, a livery stable, etc. The place was really populated[4] only on Saturdays and Sundays when the miners showed up to sell their gold and buy the things they needed for the following week. Numerous gamblers and card players appeared simultaneously with them. The gold miners sold their gold to the bank or to the storekeepers; the price paid for the gold varied according to its quality and origin and averaged about $18.00 per ounce. The crude gold was then melted and purified. By Sunday night, little of the money which the miners had received for their gold remained in their hands; most of it was carried away by the gamblers. In this manner life proceeded from early spring until late fall, at least as long as the mining continued to be so productive. The mining activity practically ceased at the end of every October and did not begin again until March, since the deep snow, often reaching the roofs of the houses, made working impossible.

For a short period after my arrival I peddled my merchandise, visiting the towns of La Porte, Pine Grove, Downieville, etc. Although my "loyal" mule was of valuable assistance on my travels in this mountainous region, this kind of occupation was very cumbersome. Moreover, very few women, who were my best customers, lived in this gold-mining region.

The business of my relatives, Mendelsohn & Co.,[5] consisted of a main store in Saint Louis and a branch in Poker Flat, about four miles from Saint Louis.[6] It was a prosperous undertaking, and I found plenty of work for myself. All our buying was done either in Marysville or directly in San Francisco. For the transportation of our goods from Marysville into the mountains we employed our own pack-train of forty mules, otherwise one had to pay from $50.00 to $60.00 per hundred pounds from San Francisco to Poker Flat.

In the spring of 1857 H. Mendelsohn and Jacob Heimann decided to return to Europe and sold their business shares to Jacob Alexander, a relative of mine who mainly took care of the business in Poker Flat, to my cousin, Jacob Engler, who had arrived from Thorn in 1856, and to myself, and left for Europe. After that I was in charge of all the buying and transportation of our goods. For this purpose I went to Marysville every other week and every five or six weeks to San Francisco. In between I spent much time in Poker Flat. This town, as its name indicates, was a gambling place. It consisted of our store, that of M. Armer & Bros., a butcher shop, a bakery, and about fifteen taverns and gambling houses.[7] It was located in a very deep ravine[8] along a creek which yielded considerable quantities of gold.[9] The miners lived in their cabins next to their stakes by the creek where they worked successfully throughout the summer. Here, as in Saint Louis, Saturdays and Sundays were our best business days. On week ends the miners came to buy new outfits at our store, discarding their old ones in our place.

They ordered food and mining equipment which were sent to them during the week. They took only the most essential things with them. Among our customers there were no women. It was very seldom that a woman would enter the place. Our prices were of course very high due to lack of competition; for in 1858 we bought out the business of M. Armer & Bros., the other supply store in Poker Flat. When the older of the Armer brothers returned to Kempen, Germany, his younger brother Morris entered our business as a clerk.

As in Saint Louis, crowds of gamblers came to town during the week end. In Poker Flat, often gambling took place in the open street. I must, however, admit that these people acted quietly, seldom causing disturbances. They withdrew on Sunday night, and the little town was once again deserted for the following week.

One summer day in 1858, Poker Flat experienced feverish excitement. A rumor of discovery of rich claims in the near-by mountain region had been reported. After a number of people moved to this spot from Poker Flat, we decided to open a branch store in this locality. I took along a carpenter, but instead of finding a newly arising settlement I arrived at a spot where a few men prospected in a primeval forest. Although I was reluctant to stay I was finally persuaded to open a store, and as lumber was plentiful, a log cabin was ready within three weeks. Shelves were put up, an iron stove for cooking was procured, and merchandise was brought from a long distance. Yet the customers failed to appear. Winter was not far off and, as I knew that the deep snow would make digging impossible, I thought I might have to wait until spring for the mining activity to begin. Nevertheless, a rich claim discovered by four Irishmen attracted more people who settled down in their quickly built cabins before the winter set in. Ready to spend the long winter in this isolated region, they seemed to have plenty of money. To kill time, these ten or fifteen men assembled nightly in my store and played card games until morning. On the tables they found two or three packs of cards as well as whisky and other drinks, their special favorite being peaches in liqueur. My friend and helper, a husky miner by the name of Darr, and myself, did not have to stay up, as the gamblers behaved absolutely quietly throughout the night. For every game they put one dollar, and for every drink a quarter or half a dollar, in a money box. This money was my principal income during the winter months. Upon arising in the morning I found the gamblers had disappeared and all I had to do was to collect the money which these honest people had left.

A number of people finally arrived in spring and staked their claims but were disappointed to find very little gold. My store was by that time almost depleted, and I was compelled to send for more supplies from La Porte, from which place the goods had to be carried to my store-cabin by Chinese. For the transportation alone I had to pay half a dollar per pound. Because of the departure of most of the miners I closed my business and bade farewell to my lonely cabin. The result of this interlude in the mountains was nevertheless a net profit of several thousand dollars. In this connection I ought to relate an episode which dated back from this winter in the mountains. Among the gamblers who spent the nights in my house were four miners who, after having bought merchandise on credit, disappeared without paying their bill of about $600.00. A long time afterwards, when I had almost forgotten the loss, I was passing through Pine Grove on my usual ride from Saint Louis to Poker Flat when someone shouted to me to halt. At first I paid no attention as I carried a considerable amount of money on me. The man begged me to stop and, upon my asking him what he wanted, he said that I had once done him the favor of lending him money. He now wanted to take this opportunity to pay the old bill.

The store in Saint Louis as well as that in Poker Flat continued to prosper. Also the pack-train was a steady source of income. In 1858 we built an annex in which we opened a plumbing shop to satisfy the demand for sheet metal and pipes for the miners. During the summer of the same year[10] a conflagration consumed the entire town of Saint Louis with the exception of the bank and of our store. Upon the outbreak of the fire, several miners who had deposited gold in our iron safe came running to us, demanding the return of their deposits. I refused resolutely, telling them to stay instead and to help extinguish the fire. Realizing that I would not open the safe during this critical situation, they turned to give assistance to the fire fighters. Fire insurance was of course out of the question because the risk was too great. I personally was so upset after the fire that I suffered from constant nightmares, shouting "Fire!" in my sleep. I felt life too unsafe unless we had a fire-proof building.[11] Hence we decided to begin immediately its construction. The building progressed rapidly, as we found stones in the neighborhood which seemed as if hewn for ready use. Iron doors[12] were brought up from Marysville and in a few months we were able to move into the new, fire-proof building.

In 1859 I participated in the construction of a long ditch, together with two Germans, Charles Hendel[13] and Christian Berg. This flume was to catch the water from the near-by gold diggings. It was constructed of wooden boards, twelve to fourteen inches wide and equally high, while cross boards were nailed to the bottom at intervals of six feet. The channel was then laid out with stones and quicksilver was strewn near the cross boards. Every other Saturday and Sunday when the washing in the mines above ceased, the stones were removed and the quicksilver and the gold were carefully taken out. However, as we were not experts in mining, the result was rather unsatisfactory.

In the spring of 1861, I noticed a general slowing up of business as a result of reduced yields in the mines. I availed myself of this opportunity to take a trip to Europe to visit my parents. By this time the railroad across the Isthmus of Panama was of course completed and I had a fast and pleasant trip, via Panama and New York, to Hamburg. On the return trip, I arrived in New York on May 20, 1862. After five days of sightseeing I continued in the usual way and was back in San Francisco on June 15. Upon my arrival in Saint Louis I discovered that our business as well as the whole situation had suffered greatly during my absence. Many miners had left their claims since the outbreak of the Civil War and the production of gold had decreased. In addition to all this, a disastrous fire broke out again in the spring of 1863, consuming the entire town with the exception of the two fire-proof houses.[14]

While I was in Europe, our pack-train had suffered serious losses as a result of a flood. It might be of interest to learn how such a train was composed. A fairly decent train consisted ordinarily of twenty-five to forty pack- and riding animals. Ours was usually comprised of thirty-five mules of which six were riding animals, while the rest carried freight. Besides, every train had a white mare with a bell around her neck to lead the train. The crew consisted of the proprietor, the *cargador* (supervisor and manager), four *arrieros* (packers and drivers), and a cook. Mexicans seemed to be best fitted for this occupation. The cook on his white mare, the *yegua*, rode ahead, followed by an animal carrying cooking utensils so that he could begin preparing the meals as soon as a stop was made. The *cargador's* business included the distribution of the freight among the individual animals, the supervision of his crew, and the maintenance of the harnesses. According to their ability to carry, the mules were packed at the starting point for a four day trip with 300 to 425 pounds each, including 50 pounds of fodder. The distance covered in a day averaged about sixteen to eighteen miles. During the winter period, when snow lay too deep, the train was taken to the lowlands in Yuba County for grazing. Once every summer a rest period of from four to six weeks was inserted during which the animals grazed at a mountain meadow and the equipment was overhauled. Carrying on the transportation by mules in winter was a difficult and strenuous undertaking. We often had to start at two o'clock at night when the snow crust was still hard and had to halt at eight o'clock when the sun came out. At one time, in the fall, a very severe snow storm took us by surprise, and despite our most arduous efforts we were forced to stop and unload the animals and to stay there throughout the night. Worn out by the hard work, I fell asleep. When I woke up at two o'clock in the morning, I was covered by a blanket of several inches of snow. After a wagon road had been laid out to Saint Louis, our pack-train became unnecessary and we sold the animals at an average price of $120.00. The departure of my two loyal Mexicans, the packer and *arriero*, Pedro, and the *cargador*, Juan, was a moving episode.[15]

On the whole, it looked pretty desolate in the mountains, and I made up my mind to leave the country for good. I sold my business share to a German, Jake Smal, but did not insist upon payment in gold. Thus I received greenbacks which at that time had a value of 65% and which I, moreover, later sold in New York at 43%.

During the middle of August 1863, I left Saint Louis and the Sierra Nevada after a sentimental farewell scene, escorted by ten friends as far as the "American House." They had borrowed every available horse in Saint Louis, otherwise more friends would have come to bid me farewell. After a touching "Good bye, boys," I went by stage to Marysville where I stayed a few days, and from there by steamer to San Francisco. On September 4 I sailed by the steamer *Sacramento* to Panama and continued to New York where I arrived on the 26th. The journey along the Atlantic seacoast was very dangerous at that time. Several Confederate ships, including the notorious *Alabama*, impeded navigation, for which reason we had to proceed completely blacked out for several nights. From New York I continued to Liverpool, arriving there in twelve days. I visited London and Paris and returned to Germany in October 1863.

So much is now being written about America that I cannot think of adding anything of general interest except that during the eleven years I lived in that country I never met a single uniformed policeman or soldier, except in New York on my trip home during the Civil War.

NOTES

1. The steamer *Golden Gate*, erroneously reported as having been sunk in 1855, was destroyed by fire on July 27, 1862. See "The Burning of the *Golden Gate* in July 1862," in this QUARTERLY, XIX (March 1940), 27-42. It was rather the Pacific Mail steamer *Golden Age* which was wrecked 216 miles north of Panama, by striking a rock, on April 28, 1855. No piracy, however, was reported. Ernest Abram Wiltsee, *Gold Rush Steamers of the Pacific* (San Francisco: The Grabhorn Press, 1938), pp. 160-63.

2. In May 1940 I visited La Porte and Saint Louis. La Porte, in Plumas County, sixty-four miles from Marysville, or forty-eight miles from Oroville, can be reached in two and a half, or two hours, respectively, over partly paved, mountainous roads. Gold was discovered in the vicinity in 1850. A monument near the entrance to the town reminds the pilgrim that the place was originally called Rabbit Creek, from the little stream on which it is located. It was renamed La Porte for La Porte, Indiana, the birthplace of Frank D. Everts, of the Everts express companies. E. A. Wiltsee and W. R. Parker, *The Franks of the Everts Expresses* (reprinted from the *Collectors Club Philatelist*, Vol. X, No. 3, July 1931), p. 12. Of the once prosperous town with a population of several thousand inhabitants a cluster of some twenty houses, including a hotel and several stores, remains today. The former Wells Fargo building, which withstood the frequent disastrous fires that swept the town, is the oldest landmark. Gold mining is still being carried on by prospectors and "snipers" who come to La Porte to sell their gold and to buy provisions. Concerning its past, see *Illustrated History of Plumas, Lassen & Sierra Counties* (San Francisco: Fariss & Smith, 1882), pp. 290-93. This book is cited hereafter as *Illustrated History*.

Saint Louis, Sierra County, is six and a half miles from La Porte, on a steep, narrow, gravel road on the way to Table Rock. I drove about four miles to a bridge across Slate

Creek, the county line, a driving distance of over an hour. From this point I proceeded on foot, as the road was very steep, narrow, and washed out at many places. Saint Louis, formerly known as Sears' Diggings, was staked out and named by several Missourians in 1852. Two years earlier, prospectors were accidentally directed there when the Gold Lake excitement ended in a fiasco. Enough gold nuggets to load two mules were found there during the first few weeks. See *California as It Is*, "written by seventy of the leading editors and authors of the Golden State for the *Weekly Call*" (San Francisco [1881]), p. 43; *Illustrated History*, p. 476; and H. E. and E. G. Rensch and Mildred Brooke Hoover, *Historic Spots in California: Valley and Sierra Counties* (Stanford University: Stanford University Press [1933]), pp. 402-4.

3. The express office was located in a substantial two-story stone building, the second story of which was used by the Odd Fellows and Masons. In later years it became the Schwartz Hotel. *Illustrated History*, p. 476. In the photograph which we reproduce here, the express office building can be seen at the right. When Henry Cohn was in Saint Louis, the express company was probably one of the Everts expresses, which connected at Marysville with the Pacific Express Co. (successors to Adams & Co.) and afterwards with Wells, Fargo & Co. See Wiltsee and Parker, *op. cit.*, pp. 7-12, 16; and E. A. Wiltsee, *The Pioneer Miner and the Pack Mule Express* (San Francisco: California Historical Society, 1931), pp. 54-55, and 101-2. A lithograph which shows the main street of Saint Louis is on display at the M. H. de Young Memorial Museum, in Golden Gate Park, San Francisco. Drawn by W. H. Hackett for Le Count and Strong, it was lithographed by Britton & Rey and published by Everts, Snell & Co., at Saint Louis. It is undated, but was probably made before 1855 when Everts, Davis & Company's Express succeeded Everts, Snell & Company's. Wiltsee, *op. cit.*, p. 101.

4. The population of Saint Louis during the fifties must have been between 500 and 1,000, for 398 votes were cast at the Presidential election in 1856. See *Illustrated History*, p. 476.

5. Two fireproof buildings were erected by Charles Gerichten and Mendelsohn & Co., as early as 1853, according to the *Illustrated History*, p. 476.

6. The actual distance from Saint Louis to Poker Flat is nearly eight miles. One should not try to identify the Poker Flat of Bret Harte with the mining camp in Sierra County, for Harte, in most instances, used names merely as "convenient counters," making little or no attempt to have his description of the place tally with reality. Cf. George Rippey Stewart, Jr., *Bret Harte, Argonaut and Exile* (Boston and New York: Houghton Mifflin Company, 1931), p. 304.

7. The old town of Poker Flat has disappeared. A single cattle rancher is living there at present.

8. People in Saint Louis and in La Porte warned me not to drive into Poker Flat, which, aside from being isolated now by snow drifts, is located at the bottom of such a steep grade that only cars with a fourth gear can attempt the descent into the ravine.

9. In the fifties, Poker Flat once produced $700,000 worth of gold in a single month. See Alonzo Delano, *Across the Plains and among the Diggings* (New York: Wilson-Erickson, Inc., 1936), epilogue by Rufus Rockwell Wilson, p. 188.

10. According to the *Illustrated History*, this, the second fire which destroyed almost the entire town of Saint Louis (the first having occurred in 1854), broke out on a Sunday in July 1857. The total damage caused by the second fire amounted to $200,000. *Op. cit.*, p. 476.

11. See Note 5.

12. Near the house now inhabited by Miss Carmichael, I was shown the ruins of the general store of Henry Cohn. The two original iron doors were lying in the grass.

13. Charles Hendel (1831-1920) became U. S. deputy mineral surveyor at La Porte.

His grave is in the local cemetery. Many anecdotes were told to me about him. For his portrait and picture of his residence, see *Illustrated History*, p. 260.

14. The town of Saint Louis continued to decline gradually after this fire. In 1880 it consisted of a hotel, a saloon, a livery stable, and about fifteen houses. *Illustrated History*, p. 476. In 1922, the ground on which the main town stood was washed out by hydraulic mining. In May 1940, three or four houses were still standing, among which was the old schoolhouse, erected in 1855 and now inhabited by an old miner. School was taught there until 1920. Outside the schoolhouse stood an old Singer sewing machine which had been brought around the Horn in the early fifties. At present, Saint Louis is inhabited by only three people. Being without means of communication, they knew nothing about the present war.

15. In La Porte I was shown the site of the corral in which the pack-train of Henry Cohn was kept. This train was operated by the father of the former stage driver, Mike Bustillos, who lives in La Porte. He and his sister, Mrs. Buckley, born at La Porte, told me that Henry Cohn was one of the first persons in the district who owned a pack-train of mules. Mike Bustillos drove freight wagons and stagecoaches from Marysville to La Porte and the mining camps in the vicinity from 1885 to about 1920. He has in his possession numerous faded photographs, as well as the old accessories connected with the stagecoach period. Among his relics is a saddle used by Kit Carson and with his name inscribed on it.

The Moral Aspect of California

A Thanksgiving Sermon of 1850

With an Introduction by Clifford Merrill Drury

INTRODUCTION

HAS TOO much emphasis been placed upon the darker side of the moral conditions existing in California during the gold rush days? New light is thrown upon this question by an interesting pamphlet which has recently been presented to the California Historical Society by Mr. Henry R. Wagner. This, a sermon delivered before the First Unitarian Church of San Francisco, by the Rev. Charles A. Farley, the organizer and pastor of that congregation, was printed in New York, probably early in 1851 at the instigation of several men who had heard the discourse. The pamphlet consists of sixteen pages, including the title-page, which reads as follows: "The Moral Aspect of California: a Thanksgiving Sermon, Preached to the First Unitarian Church, of San Francisco, California. Sunday, December 1, 1850, by Rev. Charles A. Farley, Pastor. New-York: Printed by Henry Spear, 78 Wall St. corner Pearl."

The general conclusions of Mr. Farley are that conditions in California at that time were no worse than conditions elsewhere in the frontier districts of the United States, California society being but a cross section of frontier society. Undoubtedly California had its share of undesirable characters, yet with the bad were many fine, law-abiding men of high moral principles, and in some respects California society was better than that in the Eastern states, for it did not have the idle men. In the gold rush days in California a man had to work to live.

Considerable evidence is available to support Mr. Farley's views. The city fathers of San Francisco passed ordinances on January 11, 1848, against gambling and against playing any kind of games on Sunday in a public place. The minutes of the Town Council for that date record the following:

> *Be it Ordained by the Town Council*, that if any person shall play cards for money within the limits of this town such person so offending, shall be fined not less than ten nor more than fifty dollars for each offense.
>
> *Be it Further Ordained*, that if any person shall play cards on the Sabbath day in a public place, or any other game on that day in a public place, such person, shall be fined not less than twenty five nor more than fifty dollars.
>
> *Be it Further Ordained*, that any of the town authorities are hereby authorized to seize for the benefit of the town all money found on a gambling table where cards are played. (*Californian*, January 12, 1848.)

Here is evidence that the early settlers in San Francisco brought with them their ideas of a New England Sunday. Of course it is one thing to pass a law and another to enforce it. Yet we know that Alcalde Walter Colton of Monterey, who was a Congregational minister and a chaplain in the United States Navy, was enforcing such laws in the territory under his jurisdiction.

In 1849, the Rev. Samuel Damon visited Oregon and California and wrote a series of articles for his paper, *The Friend*, which was being published in Honolulu. In the November 15, 1849, issue of this periodical, we find Damon describing his visit to San Francisco in the following words:

> During my visits on shore, the 21st, 22nd, and 23d of July, although I saw much which was wrong, yet, upon the whole, I did not witness so many exhibitions of depravity as I expected, from the accounts which I had heard and read. I am satisfied that the tendency is in the way of improvement, and good order. It was surprising that there were so few cases of theft and robbery, considering how exposed vast quantities of goods of every description were about the wharves and along the streets.

As can be seen in Farley's sermon, he agreed with Damon's conclusions.

The Rev. Charles Andrews Farley, the first Unitarian preacher in San Francisco, was born in Boston, September 6, 1806. He was graduated from Harvard in 1827 and from Harvard Divinity School in 1832. After holding several pastorates in Maine and Connecticut, he went to California, presumably on private business. He is known to have been on the Feather River early in 1850. On October 20 of that year, while in San Francisco, he preached before a group of Unitarians in Simmons' Athenaeum Hall so acceptably that some twenty-five men voted to take steps for the organization of a Unitarian society. The organization of this society was completed on November 17 under the name of "The First Unitarian Society of San Francisco."

After Farley left San Francisco, on April 23, 1851, and returned to the East, the Unitarian Society, left without a leader, fell upon difficult days, and over a year later, on September 10, 1852, it was reorganized.

Farley died in Boston on April 23, 1887.

California was admitted to the Union on September 9, 1850, but news of the action of Congress did not reach California until the latter part of October. On the 29th of that month San Francisco celebrated with an imposing parade, and a few weeks later, on December 1, Mr. Farley delivered the sermon which follows:

THE SERMON

"Fear not, O Land, be glad and rejoice."—Joel, ch ii. v 21.

That was an exciting and inspiring Pageant that passed through our streets a few weeks ago. It was a baptismal jubilee; the ratification of a new covenant with the freest nation upon earth; the adoption of a new State into the empire of States; the proclamation that the moral principles which had secured the prosperity of the American people thus far, on the shores of the Atlantic, were to be extended to the uttermost bounds of the Pacific Sea.

That pageant has passed away. It was simply the appropriate expression of the popular heart; but the event which it commemorated should make no transient impression. That event is a reality of deep moral significance which cannot help leaving its mark upon the world for better or worse. It will leave its mark upon *us*, which is the great point; and, therefore, our moral position at this moment should lead to serious meditation.

We are no alarmists or croakers. We see no good reason for being either. We repudiate altogether the superficial views in which too many have indulged in speaking of California. It has been prophesied that the colonization of this country, commencing with a low and sordid motive, insures a disastrous termination. That we are filled with a Mammon-serving generation, who think of nothing, and care for nothing but gold; and then to substantiate this position, we are pointed to the social evils in our midst—to the haunts of licentiousness—to drinking saloons and gambling saloons, and police reports, and all the dismal paraphernalia of vice; and *this* is our character! As well might you judge of the health of a city by the statistics of a lazar-house or an hospital, without looking at its general condition of health; or of its character for peace and order by a street row; or of its industry and enterprise by a set of loafers. The seeking for gold is as legitimate and laudable an object as the seeking for any thing else. It is, in fact, the indispensable condition upon which, I will not say our bread depends, but upon which depends the civilization and Christianization of the world. All our social life, our commerce, education, religion, involves the necessity of seeking for money. To take advantage of the market in India and France, to make a successful speculation, is no less vulgar or mercenary than to take advantage of the market in California for the same purpose. A whaling voyage is no more respectable than a mining expedition, or the diving for pearls than the digging for ore. Gold is dug in no meaner manner here than coal or lead at home; and our merchants in Montgomery Street have no more passion for "filthy lucre" than those of State Street or Wall Street. Money-seeking and money-getting are essentially the same thing all the world over. Gold is a no more profane medium of exchange than silver or copper. They are alike only a means to an end; and the good or evil consequences which ensue depend upon what the end is, and the motives for attaining it. "Wheresoever the carcase is, there will the eagles be gathered together."

Undoubtedly this gold era is somewhat remarkable in the world's history. This sudden discovery of the most precious metals, has produced some most astonishing results. It has created an excitement which has disturbed in no small degree the peace of the world. A territory which just now was comparatively a lone wilderness, has become all alive with a vast and stirring population. A theatre of enterprise has been opened, which is without a parallel. A tide of emigration such as mortal eyes never saw before, has poured through the Golden Gate from the four quarters of the globe. The ocean has been covered with ships, and the land with caravans, and a nation has literally been born in a day; a nation the strangest and most miscellaneous ever brought together, of all kindreds, and tribes, and tongues, animated primarily, it must be confessed, by one passion, and that a passion for money.

Thus far we concede, as a general statement, but all general statements demand qualification. To speak without discrimination of this exceedingly mixed population, is to travel out of the record, and speak foolishly. We are neither a sink of iniquity nor a congregation of saints. The habits and manners of all countries "which have grown with their growth, and strengthened with their strength," are here faithfully represented; and to expect from this chaotic mass of character the same moral manifestations which are seen in the best educated communities, is as reasonable as to expect to see full-grown Christianity spring suddenly from the bosom of heathenism. We must measure the moral condition of the representatives of each nation, not by *our* standard of propriety but their own. Much which would be offensive and disgraceful in an Englishman or an American, may be quite pardonable in another as the inevitable result of his social position. The code of morals in the Christian scriptures is certainly not the standard by which to measure the virtue of a Hindoo or a Turk. All we have a right to expect from either, is fidelity to the light he has received; and the application of this rule to the various classes which form our population, will go far to lessen the holy horror which has been so plentifully bestowed upon our population as a whole. All classes of our citizens cannot fairly be held responsible for the conduct of any one. We endorse no social evil, except so far as we encourage it and practise it ourselves. And it is but doing bare justice to our foreign population to say, that as a body, their conduct as good citizens has not only been unexceptionable, but in the highest degree worthy of praise. They have shown no disposition to disturb our quiet, or violate our laws, or interfere with our institutions. They have minded their own affairs, and left us to mind ours. They have been as courteous, as honest in their business transactions, and as well disposed in every particular as ourselves, with no very perceptible difference from the same class of citizens who have chosen their home with our Atlantic brethren; and, to say the least of it, we have as little reason to complain of them as they have to complain of us.

And now with respect to the emigration from our own shores. It is clear that no very considerable number of a refuse population *could* come from the necessity of the case. The weak and cowardly would lack the courage, and the extremely idle and profligate would lack the means; and supposing they got here, they would stand no chance in the midst of our intensely busy communities. No greater blunder could any man make than expecting to find in this country a paradise for idleness and vice. He could stay at home with better prospects far, with much more comfort, and far less expense. This is the worst country in the world for men of no occupation; and thank

Heaven, the depraved idler cannot afford to stay and pay his taxes; for it is true here if it be true anywhere, that "if a man will not work, neither shall he eat." This is the scriptural doctrine, and it is the California doctrine too. It is death to stand still. A man must keep moving, and that to some purpose; for there are none to help a man who will not help himself. Labor is well paid, it is true, but then it must be labor indeed—labor, not by fits and starts, but steady and persevering labor, requiring not only the bone and muscle, but courage, and patience, and endurance, and mind. And so far from complaining, every true man should rejoice that gold cannot be picked up on the surface, and everywhere, but requires, like everything else worth having, hard and patient toil. For this affords a security to society against pauperism and crime, which is stronger than penal enactments, bolts or bars. It is not idleness nor vice which has converted a wilderness with almost miraculous rapidity into thriving cities and towns, which already rival those of long settled communities. It is not idleness nor vice which throngs these streets with a wide-awake multitude, which has put up these warehouses, and built these wharves, and graded and planked these streets. It is no mean and solely Mammon-worshipping population which has established Courts of Justice, the School House, the Church, and the Press, as among the first necessities of a free people. These are the fruits of industry, of intelligence, and of religious principles. It was a religion loving, liberty loving, law loving people, which true to the old Puritan instinct, inscribed on the banner of the New England Society, "*Religion, Liberty and Law.*" To religion assigning the first place, because liberty and law rest upon it, as upon everlasting foundations. "Where the spirit of the Lord is, there is Liberty." And "Law," as the immortal Hooker defined it, "has its seat in the bosom of God, and its voice is the harmony of the world."

It is paying but a poor compliment to our brethren at home, to suppose that the thousands and tens of thousands who have come hither, representatives of all classes of society, and of every occupation, from every city and town and hamlet, very few having passed the middle period of life, and the vast majority very young men, are such miserable specimens of humanity, without any principles of self-restraint, with dispositions wholly inclined to all sin, and wholly disinclined to all goodness. Are such, indeed, the fruits of our boasted civilization?—of our civil, social, domestic and religious institutions? These the descendants of the Puritans? Have our families from the North, South, East and West, sent out from their very bosoms none but moral monsters? What a disgraceful commentary would this be, on the past history of Republican and Christian America? Scores of idle letter writers and disappointed adventurers cannot make it credible. No sober man can look candidly upon a community gathered so rapidly as ours, without seeing, to speak entirely within bounds, as fair a representation, in every class of our citizens, of enterprise, of capacity, of love of order, respect for law, and reverence for religion, as can be found among the same classes at home; and this, too, with gigantic temptations to encounter, with no strong force of a settled public opinion to bear upon them, removed from the sacred guardianship of Home, and from the thousand refined and delightful resources which are there everywhere opened for the mind and the heart. *There*, sin is stealthy, and cunning, and still, and goes in the dark. *Here*, it is open, unmasked—makes no apologies and asks none. It unfurls its flag in the most public and conspicuous places. It has capital to work with, and it surrounds itself with every attraction of which it is capable. And yet I think I speak the words of truth and soberness, when I say that those who enter its courts, as its avowed and admiring patrons, are the exceptions, yes, and the remarkable exceptions, too, and not the rule. The rule is, that those who constitute the character of our merchants and tradesmen, our mechanics and laborers, take quite as little interest in these things as they do at home. Time here is money, and they are a great deal too busy to spend much time at Vanity Fair, or to make common cause with the devil. They do not commence a personal crusade against them, but in a quiet and gradual manner are arming against them that sober sense of right, and those educational and moral bulwarks, which are forming a public opinion, more irresistible than set homilies or legal enactments, or the most direct opposition. Our Press, that mighty engine for regulating and giving tone to public sentiment, is lifting up its voice manfully against the most atrocious sins in our midst, and is the great coadjutor of the Pulpit. We have read many a pithy and powerful sermon from time to time among its leaders. A good newspaper goes where many a clergyman's voice can never penetrate, and if it did, would not find such attentive and willing ears. Our civil authorities, too, are taking active measures for the suppression of these social vices, and according to the spirit of our Government, the civil authority follows in the wake of public opinion. It is the executive of the public will, since with us laws are but the exponent of the real moral force of our people, and are nothing, and worse than nothing, when they cannot be executed. Many of us think we see many of our social sins greatly on the decline. And as sin naturally prefers darkness to light, "because her deeds are evil," and because darkness is her legitimate sanctuary, you will see, as churches go up, and schools are established, and our legislation gets settled, and as one good institution after another is born, and libraries and reading rooms are provided for the mind, and rational and refreshing recreations for the heart; and as families come in, and the husband is no longer separated from the wife, the child from the parent, the brother from the sister, and friend from friend, and the sick and restless heart finds a home; when, in a word, the Genius of our American Institutions has fairly developed itself, we shall see, if I mistake not, these black clouds disappear from our horizon, and "the winter of our discontent" give place to as serene a sky, and as "glorious a summer" as our neighbors'.

We shall see if we are true to ourselves, and follow up our beginnings, not merely the external, but the moral wilderness blossom as the rose. We need not fret and fume, because of evil doers. There are plenty of them everywhere; and if we have read aright our public prints at home, those among us are not "sinners above all men that dwell in Jerusalem." Let us do *right* ourselves. Sin is no match for goodness, or folly for wisdom, or ignorance for intelligence, for when, as Milton asks, "was Truth ever put to the worse, in a fair field and open encounter?" But then it must be Truth indeed—no shamming or seeming; it must be Truth with open countenance and fair brow; it must be Truth wide awake, with iron will, and armed at all points; it must be Truth, which, like the good Terminus of the Romans, never goes back. Then may we say, "Fear not, O Land, be glad and rejoice;" your career is as certainly onward and upward as the sun is in the heavens. Your foundations are laid not upon sands, though they be golden, but upon the eternal "Rock of Ages."

Many will ascribe the settlement of this country to accidental causes, but Christianity knows no such thing as accidents or chances. She recognizes God in all history, who brings about momentous results by what seem comparative trifles. Judaism, Christianity, the Reformation, the French and American Revolutions, started, apparently, from insignificant causes. Moses was a cast off child; Jesus, the son of a carpenter, and most of his apostles fishermen, and men of the humblest origin. Luther was the son of a miner; and until he was fourteen years old, but a strolling singer, begging his bread from door to door. Buonaparte was but an obscure Corsican boy; Washington, the son of a Virginia farmer; and yet these men have shaken and revolutionized the world. It matters little whether the empire here forming started from a war, or the finding of gold. We see the finger of God here also; and we know that He "can make the wrath of man to praise him," and the discovery of a mineral the nucleus of a world.

My friends, we have a great work to do here on this very spot, and now. Ignorance is to be enlightened, sin is to be removed; and a society to be reconstructed on these Pacific shores, which shall not be a bye-word and a reproach in the face of the whole civilized and uncivilized world, but a glory and a blessing. This people ought to be not as *good* as any other, but a great deal *better* than any other. We have the whole past from the beginning of time to build upon. What a universe is here of history, of philosophy, of ethics, of solid experience! To us, under God, it may be given to belt the world with Christian civilization. If the alphabet of the highest truth was created in the east, and has ever since travelled westward, growing into a complete science, how inspiring the thought that we may carry it round the full circle to its starting place, restoring fourfold into its bosom, and accomplishing the magnificent prophecy, that "righteousness shall cover the earth as the water covers the seas!" Already, what Coleridge saw with the vision of a Seer, we see growing into reality before our very eyes: "Millions of people, extending from the Atlantic to the Pacific, living under the laws of Alfred, and speaking the language of Milton and Shakespeare." This he called "a grand conception." It is now a grand reality, and becoming grander every hour.

I honor and thoroughly appreciate the labors of those missionaries of the Cross, who gave up all, even their lives, like the first apostles, to carry Christianity to India, China and Siberia, and the Islands of the Pacific, and to the remotest borders of heathendom. I am not insensible to the labors of the accomplished Bishop Heber, of Henry Martyn, of Dr. Judson, of the apostle Elliot, of Oberlin and Roberts, and hosts of equally devoted missionaries, Catholic and Protestant. But within a few years, as I believe, under the natural providence of God, if I may use the expression, more has been done, and is doing towards this purpose, than by all modern missions together. Thousands are now carrying letters and Christianity by the wonderful progress of science and extension of commerce from Continent to Continent, from the centre to the circumference of the globe, where only individuals, feebly provided, have gone hitherto. Of these thousands every Christian man, woman and child, is a missionary. The mind staggers under the vastness of the conception of what schools, and churches, and commerce, and the press, and wise legislation can now accomplish.

The whole history of colonization can show nothing to compare with the intelligent emigration from the Atlantic States. It is, perhaps, no exaggeration to say that very few, if any Americans have come round the Horn, or across the Isthmus, or over the Plains, who have not received the benefit of our Common Schools, or who cannot at least read and write. Of what country upon earth can this be said but ours? Then again, we command every facility of intercommunication, not only with the large cities, towns and mining districts, through the length and breadth of our own borders, but with the rising empire of Oregon, with the Sandwich Islands, with China and India, and the whole South American coast; with the Old World and the New. To all we can extend the right hand of fellowship, and welcome them to a participation in the large patrimony we enjoy.

We thus occupy the most favorable position possible for laying broad and deep the foundations of a Commonwealth, which, shunning all ultra-Conservatism, and ultra-Radicalism, shall unite all the best elements of a past with those of a present and progressive civilization. The modern cry, "Let the dead Past bury its dead," means, if it means any thing intelligible and reasonable, that whatever is worn out, and of no further service to mankind, should give place to higher and more comprehensive revelations of truth. But the Past is *not* dead. It lives and is incorporated with the whole Present. It lives in the spirit of all the good and great men who have gone before us.

Though dead they yet speak to us in their institutions, in the inspiration of their writings, in the influence of their ever memorable examples.

We are conservative enough to believe that Society advances quite as much under the process of extension and expansion as of original ideas; and that it is a good deal better to go a little more slowly and safely, than to push ahead after our American fashion, under such a pressure of steam, as to run the risk of breaking our necks by being thrown off the track. At the same time, we are no believers in the stand-still doctrines, and the wisdom of keeping fast anchored to the Past, with small faith in the Future. All truth is not yet exhausted in any one department of science; the schoolmaster is abroad; but there are a good many places for him to visit yet. "There is more light to break forth," as the Puritan Robinson said, "from God's holy word," and, we may add, from the soul of man. Here, at least, we breath a free air, and enjoy an absolute independence; and while we welcome and make full use of its privileges, let us guard jealously against its perils. Let us retain old truths, and throw off old errors and prejudices. The great fault of our New England education is, that we live too much upon the *reputation* of our schools and morals; that this education stands in too great a degree upon external proprieties and conventionalities; that we behave very well under the immediate eye of Parents, and the force of public opinion; but lacking the root of *principle*, we are apt when these restraints are removed to run riot in our freedom.

My hearers, this subject addresses itself with tremendous power to us of this infant society. It is my happiness to speak to those who are forming the first Unitarian Church on these shores; and if, as we profess humbly to believe, the principles we hold are the nearest approximation which has yet been made to a correct interpretation of Christianity, how imperatively are we called upon by every earthly, and by every heavenly consideration, not to throw away this golden opportunity, but to join, heart and hand, "that the truth, as it is in Jesus, may have free course, and be glorified."

Let no sense of present discomfort, or of slender means, hinder us from working shoulder to shoulder in this our glorious mission. We form a representation from almost every society of our faith at home; and they call to us to represent that faith in its purity and power. You miss, doubtless, and you will miss, the eloquent lips and the beloved presence of your own pastors; but I know I express their feelings when I say, that however humble may be the instrumentalities by which we work, whether our stay here be longer or shorter, we should each and all labor together, to the utmost of our power, in this noblest field of missionary enterprise.

Peter Skene Ogden's Trapping Expedition to the Gulf of California, 1829-30

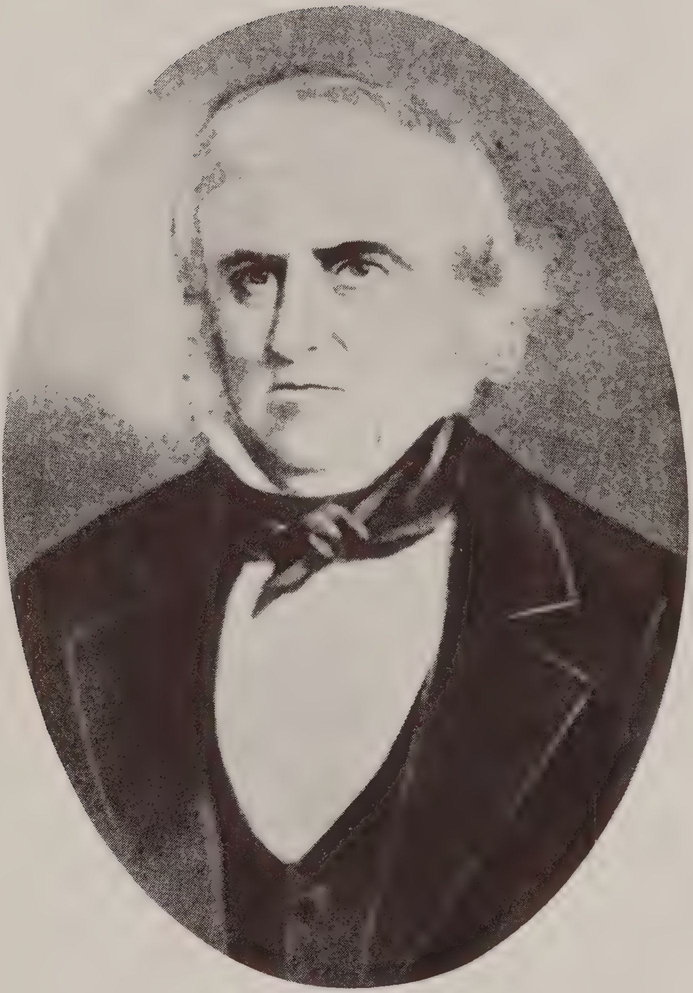
By Alice Bay Maloney

OF ALL that lusty band of "mountain men" who roamed the forests and streams of the Far West in the early days of the nineteenth century, none trapped more beaver, laughed louder, played wilder practical jokes, fought harder, or left his name on more places he discovered and explored than did Peter Skene Ogden. Nor did any travel farther afield or perform a deed of greater bravery than his rescue of the surviving victims of the Whitman massacre at Waiilatpu.

One of his lesser known exploits, an extended trapping expedition from Fort Vancouver, headquarters of the Hudson's Bay Company on the Columbia River, to the mouth of the Colorado River, has been cloaked in obscurity. The reasons for this obscurity will be set forth in the following article, together with all available data concerning this journey to what he calls "The Gulph of California."

There is a possibility that English and American trappers crossed the northern frontier of California before 1826. "It is not improbable," says Bancroft, "that Hudson's Bay Company men may have done so from the Willamette Valley on one or more occasions, although there is no more definite record than the rumor of 1820-1, that foreign hunters were present in the north, and the newspaper report of McKay's presence in Siskiyou in 1825. . . . . After 1826 an army of hunters, increasing from hundreds to thousands, frequented the fur-producing streams of the interior, and even the valleys of California, flitting hither and thither, individuals and parties large or small according to the disposition of the natives, wandering without other motive than the hope of more abundant game, well acquainted with the country, as is the wont of trappers, but making no maps and keeping no diaries."[1]

An old map of western North America, made just prior to the conquest of California by the United States, shows a trail from the Gulf of California to the Oregon country and ascribes the route to the French trappers of the Hudson's Bay Company.[2] This firm had sent out brigades of trappers to scour the Pacific slope for furs ever since the company was amalgamated with the North West Company in 1821. Journals of the leaders of some of these expeditions have been published and furnish valuable geographical information to students of the fur trading era.[3] Miss Agnes Laut secured from the archives of the company in London copies of the Ogden journals



PETER SKENE OGDEN

From *A History of the Pacific Northwest*, by George W. Fuller
(New York: Alfred A. Knopf, 1931)

for the years 1824 to 1829, in which are recorded the first glimpses of Mount Shasta, which he named, and of Great Salt Lake. Since all maps and journals of the 1829-30 expedition were lost in a whirlpool in the Columbia River,[4] it becomes necessary to reconstruct the story of this trip from letters, from a book of stories written by Peter Skene Ogden under the nom de plume, "A Fur Trader," and from occasional references in journals and recollections of other trappers. There is also an old map on which appear names apparently given by Ogden. California records yield one small item of interest useful in fixing his sojourn in the San Joaquin Valley. All of these will be referred to later.

Interesting sidelights on the life of a chief trader are found in the following letter:

Col. River
John McLeod, Esq'r Vancouver, 10 Mar., 1831
My dear sir,

On my arrival last Feb'y from my Trapping Excursion I received your friendly favour from Norway House dated August 1829 and was glad to find from it that you did not include me amongst the evil disposed towards you— pray what motive could I have to injure any man even granting he had injured me it would in my opinion be a miserable retaliation. On the arrival of Mr. Harriot in the Fall I was dissappointed in not hearing from you but as he informed me you were making preparations for a voyage across the Atlantic on the plea of ill health this I trust you are again in the enjoyment of and I am fully convinced a visit to their honours occasionally in Fenchurch Street with some well tim'd remark is of more service than 10 years hard labour in this Country and will eventually well repay you the money you have expended while in London. Our friend Lewis has succeeded and I consider him a fortunate man but still more so old Capt. McKenzie who long since I had consigned to his grave and who really is not in want, but no doubt all these things are wisely ordain'd and every man's time will come in the course of time. I am so much harrassed here that I shall not enter into particulars but refer you to Mr. Harriot who intends writing you a long letter we have spent the winter in the same room. Bachelors and have both behaved uncommonly well a good change in me since you left the Columbia I have increased the number of my children by ten and although I should remain Fifty years longer in the Country not one more will add to the number the Bachelors Flag I have hoisted and if ever I leave it, it will not be in the H. B. Coy's territories. I was not so successful in my last years Trapping as the year preceding although I extended my trails by far greater distance to the Gulph of California but found beaver very scarce and unfortunately below the main falls of the Col. [Columbia] my own Boat was engulphed in a Whirlpool and 9 men drowned. I had a most narrow escape— on my arrival here I found from the Committees Letter I was appointed to form an Establishment at a place called Nass about 10 degrees to the Northward of this and was to have sail'd last Fall but an infectious fever made its appearance amongst the Natives carried off upwards of two hundred and our servants unfortunately took it and for Three Months we had not one at our command we are now making preparations for this same place. I know not what success I may meet with there but I am not of the opinion our wealth will be increased.

Our friend Work has succeeded me in the Snake country. I accompanied him as far as Nez Perces and gave him a fair starting— surely this man deserves a more substantial reward than he now enjoys it is an unpleasant situation he fills I wish him every success but it is all a lottery

Believe me to be

Yours truly
Peter Skein [sic] Ogden

P.S. My regards to Charlotte and the children
Mr. Black Thompson River
Mr. Simon Nez Perces
Mr. Ermatinger here
Mr. Heron Colville a snug birth [berth][5]

Since 1824 Peter Skene Ogden had headed the annual Snake River brigade, the most dangerous and arduous expedition of the Columbia district. From some of these journeys he had returned with what he considered an adequate harvest of furs, that is, three thousand beaver skins. Other trips were not so satisfactory. His most vexatious problem was the influx of American trappers into the region, and several encounters had made Ogden wary of trespassing over the continental divide which marked the boundary between the United States proper and the jointly held region of Oregon, the southern boundary of which was the forty-second parallel. Both sides used means not strictly ethical to outdo their rivals and secure furs from free trappers and Indians. The Governing Committee of the Hudson's Bay Company did not look with favor on such encounters, fearing complications for their charter and license should such matters reach diplomatic channels; and when Ogden lost his furs in American territory, the company did nothing to gain him redress.[6] It was then his eyes turned south.

In the fall of 1828 Ogden penetrated into the region of what he called the Unknown River and which his trappers afterward called Ogden's River, but which is known to us as Humboldt River, in Nevada. From there he struck eastward to the shores of Great Salt Lake. He returned in the spring of 1829 across that same region, parried an attack by the Modoc Indians and told them he would see them again in three months. He then made his way to Fort Nez Perce on the Columbia River, which was the point of departure for the Snake brigades.[7]

Ogden later wrote:

> In 1829 I was appointed to explore the tract lying south of the Columbia, between that river and California. For five years previously I had been similarly employed to the eastward of that tract, where I had had many recontres with the warlike tribes that cross from the east side of the Rocky Mountains. . . . . It was in the month of September that I bade adieu to the shores of the Columbia River, with a party composed of thirty men, well appointed to overcome the obstacles and encounter the perils which long experience had taught me to anticipate. . . . . After leaving the Columbia, we journeyed a month through a sterile country, before we came upon the traces of any human inhabitants, who then appeared more numerous than I expected.[8]

The brigade was by this time far beyond the line which had been defined by the 1819 treaty with Spain. "This region was now the possession of the Mexican nation. It was weakly held. As soon as it appeared on the horizon

British and American trappers wandered over it with entire freedom. They were not even aware along its northern boundaries that they were within the feeble sway of Santa Fe or Taos."[9] Ogden undoubtedly knew that he was trespassing, but in his story he ignores such implications.

Ten men sent ahead of the brigade captured two Indians and brought them back to camp so that Ogden could interrogate them concerning the country ahead, "the amount of our knowledge at present being the course pursued, which, as indicated by the compass, was south-west. . . . . Having succeeded in gaining some partial information of the country in advance of us, I dismissed my informants, first presenting them with a few baubles in return. Wild as deer, they were soon out of sight."[10]

Large numbers of their tribesmen soon made themselves obnoxious and Ogden took every precaution to prevent a surprise attack or loss of horses. These measures proved wise, for he records, "In the gray dawn a large body of Indians were perceived drawing near." A shower of arrows was discharged into the camp, wounding three horses. In the encounter one Indian was killed and the others withdrew. "After three days' further travelling, over a country as barren as ever Christian traversed, we came to the lands of another tribe, residing on the waters of the Rio Colorado. These Indians, I strongly suspected to be the same who, the year preceding, had massacred ten men attached to the party of Mr. Smith, an American adventurer."[11]

Jedediah Smith, the first American to penetrate to California by the land route, had crossed the Mojave Desert in 1826 and had become involved with the Mexican authorities in the province. Leaving some of his men encamped on the Stanislaus River he crossed the Sierra and made his way to his firm's place of deposit on Bear River. To avoid the suffering encountered by his crossing of the Nevada flats, he tried to re-enter California by his original route. This, the Mojave Indians tried to prevent, and ten of Smith's men were killed. Smith made his way to San Bernardino and from there went up the coast in an endeavor to reach Fort Vancouver, but his party was cut off by the Umpqua Indians and but four survived to reach the post of the English company.[12] Here Smith renewed an earlier acquaintance made with Peter Skene Ogden when they had traveled in company toward the American rendezvous after Smith had spent the winter of 1824-25 at the Flathead post of the Hudson's Bay Company. Smith, in 1829, wrote an account of his Mojave trip for Ogden,[13] and it is claimed that Ogden's interest in California streams was due to a desire to reach and trap these waters before American hunters received word of Smith's explorations.

Jedediah Smith, in July 1827, while encamped at his mountain headquarters at Little Lake of Bear River, during his brief eastward trip from California, wrote a long letter to William Clark, of Lewis and Clark fame, then superintendent of Indian affairs at St. Louis, describing his route to California in 1826 and the Indians he had met along the way.[14] This letter enables us to check Ogden's whereabouts. We now know he was facing the Moapi band of Mojaves. Ogden writes:

> They appeared to be bolder than any I had yet seen; but on a narrow scrutiny, I could perceive nothing to confirm my suspicion of their identity. No tracks of horses were seen, but this was a circumstance readily accounted for by the fact that the country was too barren to admit their being easily maintained. My men were eager to revenge the massacre upon them; but as I had no proof that these were the guilty persons, I withheld my consent to their entreaties. That punishment, however which I was slow to inflict on them for past deeds, of which they were doubtless guilty, they shortly drew upon themselves by present misconduct. On the day following our appearance among them, they swarmed about the camp, every man carrying, in addition to his proper arms, a long stick on his shoulder, in derision of the manner in which we carry our guns. Observing the greatness of their numbers, I took the precaution of posting an extra guard over our horses, and warned the men to hold themselves in readiness for the worst. Besides their usual firearms, I furnished each of our little party with a spear, giving orders not to reload after the first volley but to charge; for I was apprehensive lest, during the interval of loading, the Indians might make a rush and overpower us; and that a speedy attack was meditated, I could no longer doubt. Our preparations completed, I admitted a few Indians into the camp, purposely that they might observe our state of defence, and with the hope it might deter them from attacking us. Unhappily for them, the desired effect was not produced, for presently one of the guard was wounded, and the alarm given that the Indians were securing our horses. This was sufficient for me. They had shed the first blood, and I was resolved that theirs should repay it; and as it was now for life or death with us, I ordered a general discharge, to be followed up by a charge with the spear. The first, however, sufficed; for on seeing the number of their fellows who in a single moment were made to lick the dust, the rest ingloriously fled, and we saw no more of them. Twenty-six remained dead on the field.[15]

Ogden's gift for vivid language is seen to advantage in this passage. The sentence concerning the savages who "were made to lick the dust" is surely the inception of the line to be made famous many years later by Ned Buntline: "Another redskin bit the dust." Ogden wielded spear and pen with equal facility. He submitted his manuscript to several critics, who deleted passages considered too rough for sensitive tastes, but the original talents of the man were too individual to be entirely eclipsed.

"It would be inconsistent with my object [in writing *Traits of American Indian Life*] to continue the narrative of the expedition, and our other travelling adventures in this region,"[16] continues Ogden. And so we are left stranded somewhere near the present town of Needles, California. We know from maps and Ogden's own statement that he proceeded to the mouth of the Colorado River and found furs scarce. One writer says Ogden crossed into the San Joaquin Valley on his way north by the pass that was to be called Walker's some years later.[17] It appears that the authority for this statement lies in the reminiscences of two American trappers, John Joseph Warner and Stephen L. Meek. While not sustained as yet by contemporary documents, nevertheless it is reasonable that Ogden would wish to avoid contact with Mexican authority and the missions, as he had learned from Smith the wisdom of such a course. The nearest mission did not report his presence. We next hear of him through an encounter with the trapping party of Ewing Young, who had come from Taos with a brigade and had preceded Ogden through the same mountain pass, although Young has also been reported as traveling the Tejon Pass on more than one occasion. The exact date of this encounter is uncertain, but it must have been very early in the spring of 1830. Certainly it was before July 11 when Young made his appearance at Mission San José and recorded that he had come into California with twenty men but had increased the number by one man who had left the English trappers under Ogden and had joined his brigade.[18] The identity of this man is not known.

Ogden's party continued north along the eastern slope of the San Joaquin Valley to the mouth of the Sacramento River. One wonders what he read in the ashes of the fires left by another brigade of his company at their quarters near the present town of French Camp. Alexander Roderick McLeod had come to California in 1829 by the Smith route along the coast and over the Coast Range by way of Trinity River. This leader left his name on a small lake near Stockton and on a tributary of the Sacramento River where his brigade met disaster when overtaken by early snows. This group of hunters reached Fort Vancouver after extreme hardships and suffered loss of horses, furs and records. Their route out of California was by way of Pit River, which had been discovered previously, according to Ogden's journals of his southern hunt of 1828.

A map of the United States Territory of Oregon, made in 1838 under the direction of Col. John James Abert, of the United States Topographical Engineers, includes what was known of the geography of the Sacramento Valley in the year 1836.[19] This information was collected by Lieutenant William A. Slacum, United States agent, on his trip to the Columbia River in January 1837, from traders of the Hudson's Bay Company whom he met at Fort Vancouver, and from Ewing Young. Slacum himself did not visit the valley. With the exception of the Sacramento, names of rivers are in English, not Spanish. The Pit River route is the only clear path from the north that can be followed on the map. John Work, who led an expedition from the Columbia to San Francisco Bay in 1832-33, indicates in his journal that he possessed the information on the Abert map, for he tells of crossing rivers delineated upon it. His immediate predecessor in the region he mentions only once, although he must have secured from Ogden detailed information regarding the geography and food supplies before starting on August 17, 1832, on a journey which was to last until October 1833 and would cover some of the territory already explored by Ogden. On January 10, 1833, while encamped in the foothills north of the American River, Work wrote in his journal: "When Mr. Ogden passed here there were plenty of elk, it is singular there are none now."[20]

Mr. John Ogden of Berkeley informs me that there is a tradition in the

Ogden family that Peter Skene Ogden was the first white man to explore Feather River. If this be true, and I find nothing to refute such a possibility, then this is the time such exploration was made, for the subsequent years of this intrepid adventurer are well documented. In any event, the next place we hear of Ogden is at Ogden's Hole, on the east shore of Great Salt Lake, where he is in full possession of a rendezvous coveted by no less a rival than Thomas Fitzpatrick, of the Rocky Mountain Fur Company, and this in the month of August 1830.[21]

It is a long jump from the mouth of Feather River to Salt Lake. Just over the Sierra lay a region already explored by Ogden. With his old time campground as his destination and the time for his return to headquarters approaching, support is lent to family tradition by postulating a route up Feather River by the south branch, crossing the mountains through the pass later to be called Beckwourth's, and approaching the Salt Lake destination by the Humboldt River route, the trails of which were familiar. He may, of course, have taken the Pit River route. Work records that some men in his party had passed that way twice before his trip in 1832.

Fitzpatrick had crossed the continental divide from the Three Forks region, had trapped the Snake to Bear River and had taken his brigade still farther south until he reached the campground on the site of the present city of Ogden, Utah, where he found Peter Skene Ogden.[22] After one of the usual commercial skirmishes, Fitzpatrick secured from the northern Indians accompanying Ogden some of the furs yet untraded to the Hudson's Bay Company. This he did by the use of whiskey, an article of trade forbidden Ogden. A tense strain now developed between the two parties. An incident that was to be told around the camp fires of the "mountain men" for years to come reveals the state of feeling that might, at any time, have caused bloodshed:

> While matters were in this position, a stampede one day occurred among the horses in Ogden's camp, and two or three of the animals ran away, and ran into the camp of the rival company. Among them was the horse of Mr. Ogden's Indian wife, which had escaped, with her babe hanging to the saddle. Not many minutes elapsed, before the mother, following her child and horse, entered the camp, passing right through it, and catching the now halting steed by the bridle. At the same time she espied one of her company's pack-horses, loaded with beaver, which had also run into the enemy's camp. The men had already begun to exult over the circumstance, considering this chance load of beaver as theirs, by the laws of war. But not so the Indian woman. Mounting her own horse, she fearlessly seized the pack-horse by the halter, and led it out of camp, with its costly burden. At this undaunted action, some of the baser sort of men cried out, "Shoot her, shoot her!" but a majority interfered, with opposing cries of "Let her go, let her alone; she's a brave woman; I glory in her pluck"; and other like admiring expressions. While the clamor continued, the wife of Ogden had galloped away, with her baby and her pack-horse.[23]

There are many other tales of the exploits of this courageous Indian woman. This particular thriller comes from the lips of Joe Meek. Some doubt might be cast upon the time and place of the event but for the corroborating chronology of Thomas Fitzpatrick, whose biographer writes: "Fitzpatrick, however, gave up the ground [Ogden's Hole], moved eastward to Bear River, across the Green Valley, through South Pass, and after a circuit of some 1,200 miles traveled since August, settled his men in winter quarters at the old camp on Powder River. Here they tarried in great comfort until the beginning of the spring hunt of 1831."[24]

From Ogden's Hole the brigade of the Hudson's Bay Company made its way on its return journey to Fort Nez Perce. Its leader records the later stages of the journey: "It was in the summer of 1830 that I arrived at the Dalles on my return to [Fort] Vancouver, after an absence of eleven months, spent in scouring the prairies in quest of beaver. I had a small party of trappers under my command, and having left our horses at Walla Walla, where a crazy boat had been furnished us, we had reached thus far on our descent [of the Columbia River] . . . ."[25] Then follows the story of the tragic loss of nine men in the rapids. Ogden on foot, watched the disaster and it is to this he refers in the letter quoted previously.

This was Ogden's last Snake Country command. He was succeeded by John Work, who also came to California. But Ogden alone, so far as can be learned, was the only one of the English trappers to penetrate to the Gulf of California.

NOTES

1. Hubert Howe Bancroft, *History of California* (San Francisco, 1884-90), III, 151-52.

2. Map from Eugène Duflot de Mofras, *Exploration du territoire de l'Orégon, des Californies . . . .* (Paris, 1844).

3. Thompson Coit Elliott, editorial comments on the journals of Peter Skene Ogden, 1824-1829, in *Oregon Historical Quarterly*, X (December 1909), 331-35, and XI (March 1910), 201-22.

4. Letter of J. Chadwick Brooks, secretary for the Governor and Committee of the Hudson's Bay Company, to Alice B. Maloney, London, February 20, 1940.

5. Peter Skene Ogden to John McLeod, as printed in *Washington Historical Quarterly*, I (July 1907), 262-63. A typewritten copy of the letter, differing very slightly from this, is in the files of the Oregon Historical Society, Portland.

6. Frederick Merk, "An Episode of Fur Trade and Empire," in *Mississippi Valley Historical Review*, XXIV (June 1937), 63.

7. T. C. Elliott, in *Oregon Historical Quarterly*, XI, 249.

8. [Peter Skene Ogden], *Traits of American Indian Life and Character* (London, 1853), pp. 4-7. This was reprinted by The Grabhorn Press, San Francisco, in 1933. The pages cited are from the 1853 edition.

9. Merk, *op. cit.*, p. 51.

10. Ogden, *op. cit.*, p. 11.

11. *Loc. cit.*

12. Maurice S. Sullivan, *The Travels of Jedediah Smith* (Santa Ana: The Fine Arts Press, 1934), p. 108.

13. Ogden, *op. cit.*, p. 12.

14. Archer Butler Hulbert, ed., *Where Rolls the Oregon,* Overland to the Pacific Vol. III (Denver: The Stewart Commission of Colorado College and the Denver Public Library [1933]), 126-31.

15. Ogden, *op. cit.,* pp. 18-20.

16. *Ibid.,* p. 20.

17. Harry Laurenz Wells, *History of Jackson, Josephine, Douglas, Curry and Coos Counties, Oregon* (Portland, 1884), p. 122.

18. Joseph John Hill, "Ewing Young in the Fur Trade of the Far Southwest, 1822-1834," in *Oregon Historical Quarterly,* XXIV (March 1923), 25.

19. *Map of the United States Territory of Oregon, West of the Rocky Mountains, Exhibiting the Various Trading Depots or Forts Occupied by the British Hudson Bay Company* . . . . Compiled in the Bureau of Topographical Engineers . . . . under the direction of Col. J. J. Abert, by Wash. Hood, Washington, D. C., 1838.

20. Journal of John Work, MS, copy in the possession of Alice B. Maloney.

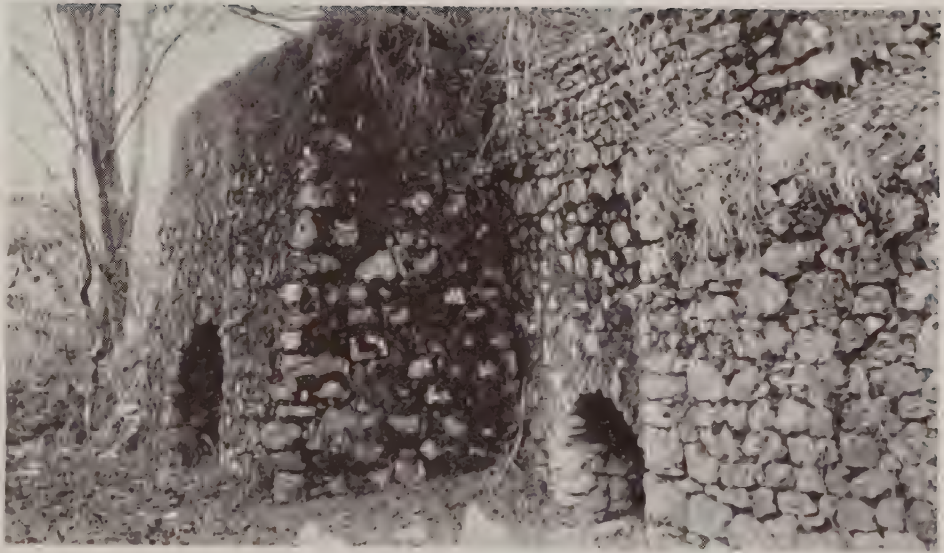
21. LeRoy R. Hafen, and W. J. Ghent, *Broken Hand, the Life Story of Thomas Fitzpatrick, Chief of the Mountain Men* (Denver: The Old West Publishing Company, 1931), p. 78.

22. Hafen and Ghent, *op. cit.,* p. 8.

23. Frances Fuller Victor, *The River of the West* (Hartford, 1870), pp. 95-96.

24. Hafen and Ghent, *op. cit.,* p. 80.

25. Ogden, *op. cit.,* pp. 165-66.



KILNS "C" AND "D"

From a photograph taken in 1910 by Mrs. S. S. Southworth,
of Bolinas, California

The Old Limekilns of Marin County

By Bliss Brown

LIME WAS burned during pioneer times, as far as we know today, at three separate locations in Marin County. One of these was on the property of the present Trout Farm, in what is now Inverness Park, where there was a single kiln. When the Trout Farm was started, the limekiln was torn down and its material used in the construction of the barn that stands opposite the fish tanks.

A second location at which lime was burned is on Haggerty Gulch Creek, about one-fourth of a mile up the gully from where it empties into San Geronimo Creek, or, as it is now commonly known, Paper Mill Creek. The two kilns here, and a third in the same general area but only a few hundred feet from the Inverness Highway, differ from the others in that they are pits dug in the ground. There is no evidence that they were ever built up similar to the common kiln. Each of the three pits is about eight feet in diameter, circular in outline, from four to six feet in depth, and walled up with rock. They are partially filled with debris and overgrown with brush and vines, but the walls are still in fair condition. Judging from the excavations of the adjacent limerock, these kilns must have been in use as long as any in the country. They were operated, according to some of the older people still living in the vicinity, by placing alternate layers of wood and limestone rock in the pits until the pile extended a foot or two above the ground level; the contents were then burned. After being burned, the lime could easily be separated from the ashes.

The third set of limekilns, which are the ones usually referred to by writers on the history of Marin County, are located on the Blake Ranch, about five miles from the village of Olema. Their ruins have become a common mecca for sight-seekers, since they are located just off State Highway No. 1, about midway between Bolinas Junction and Olema. A marker stands at the edge of the highway, opposite the beginning of a winding trail that leads the curious down the ravine about three hundred yards to the ruins on the bank of Olema Creek.

These kilns were built against the face of a limestone bluff. The bank was cut into to a depth of about fifteen feet, and the kilns built in such a way that they could be filled from the top, but with the flues for firing on the lower side. There were four kilns originally, but there is evidence that only three were ever in actual use. One is still intact and in almost perfect condition. It is now filled with unburned limerock. In two of the others, the roofs have fallen in and the side walls are badly crumbled. A considerable portion of the crumbled walls has been removed and carried away to be used for building materials, rock gardens, and other purposes. From one kiln the entire fire arch was removed, taken to Bolinas, and converted into an outdoor barbecue pit. So much of a task was this that the present road from the highway down to the kilns was constructed for this purpose.

These kilns have been abandoned for so long a time that large trees have grown up around them. From the bottom of one pit a Douglas spruce, almost six feet in circumference, has grown to a height of a hundred feet. From another pit a maple, or common box elder, has grown to a height of fifty feet or more. The largest tree of all has grown from the top of the kiln still standing, but of this one more will be said later.

Each kiln was built separately and they have no particular common pattern. They vary in size and are slightly oval, as though compressed laterally. The inside dimensions range from eight to ten feet, by a depth of ten to twelve, and are approximately ten feet high above the fire pit. Each would hold approximately a hundred cubic feet of limerock.

The walls of the individual kilns vary from twenty to twenty-four inches in thickness, while the main or front wall averages about three feet. Although the general shape of each kiln is oval, they are arched in toward the top like a jug or cistern. The one remaining unharmed has an opening, or "kiln hole," six feet across the top for use in filling. The spaces between the walls of the separate kilns and the front wall were filled with small rock and soil. The top was leveled off even with the openings in the kilns, thus making them easily accessible from the limestone ledge above. The front wall was solid and extended along the face of the four kilns, as shown in the accompanying plan. It ranged from fourteen to fifteen feet high, was sixty-five feet in length, and had two offsets arranged at convenient angles to give added strength. Two of the kilns, "C" and "D" in the plan, still have the arches to their firing-pits intact. A study of their structure leaves no doubt as to the ability and workmanship of their builder. The arch of the larger kiln is five and a half feet high and four feet across, and is so built that it tapers gradually toward the center of the kiln. The arch of the smaller one is forty-four inches across and thirty-six inches high, but instead of sloping into the kiln has a shoulder or offset. This inner arch is twenty-three inches across by thirty inches high. It continues three-fourths of the way across the kiln, with a flue at the back. This arrangement prevented the lime from falling into the firebox. It is probable that the one well preserved kiln was built after the others had been put into use. Lime was used in its mortar, while the others appear to have been laid up in fire clay. This explains its fine state of preservation, while the walls of the others have crumbled.

Above the kilns is an outcrop of limestone that extends several hundred feet up the canyon. The face of the ridge slopes at an angle of about ninety degrees. The layers or strata vary from two to eight inches in thickness and are easily scaled off and broken into convenient sizes for filling the kilns. There is evidence of the lime ridge having been worked for a distance of about seventy feet. While the depth used can be only a conjecture, it is not likely that more than three feet of rock has been removed. With a fifteen foot surface exposed to a depth of three feet and to a distance of seventy feet, it can be estimated that a little more than three thousand cubic feet of limerock has been excavated. With an estimated one hundred cubic feet capacity for each kiln, and with three of them in operation, it is easy to calculate that ten consecutive burnings would have used all the limerock quarried. As a matter of fact, however, it is probable that less than half of this amount was ever burned. The chief support of this statement is that the limerock used was only of a fair grade of purity. With each filling of a kiln, it must have been necessary to discard many pieces of low grade rock. What little evidence there is of such waste material, could have come easily from four or five burnings.

From the top of the two kilns still standing has grown a Douglas spruce. A tiny seedling took root in the soil between the wall of kiln "C" and the angle in the front wall. In this triangular plot of soil, scarcely more than two feet across, has grown a tree over one hundred feet in height and forty-four inches in diameter. The main taproot, forcing its way down between the walls, has split off a piece of the masonry weighing a ton or more. This has so weakened the supporting roots that the tree is likely to fall in the next severe storm. The size and apparent age of this tree has added much to the mystery surrounding the kilns.

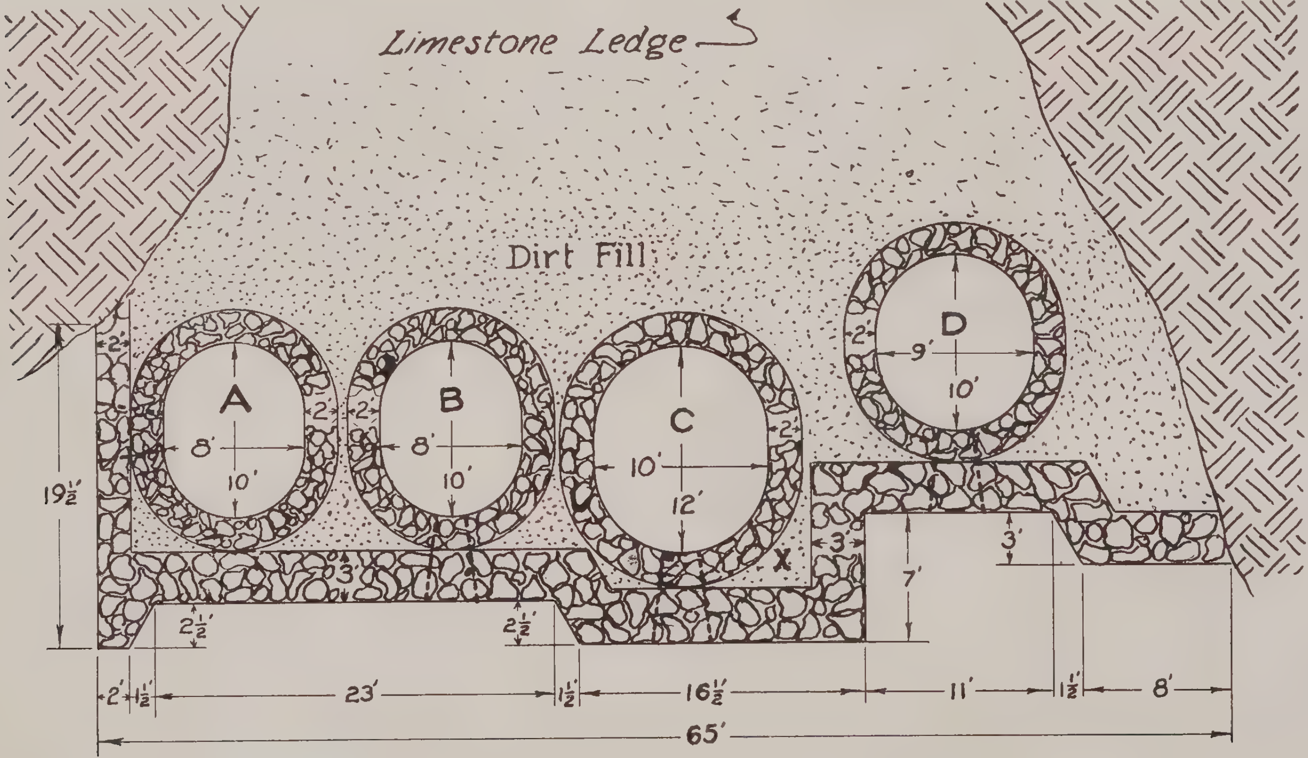
Since there are so few records concerning the kilns, there has been much speculation on the question of who built them and when. Some have contended that at least one of the kilns was built by the Russians during the period when they inhabited a portion of the coast between San Francisco and Fort Ross. The Russians established their colony at Bodega Bay in 1812. While they were interested chiefly in hunting for otter and other fur bearing animals, they did make an attempt at farming. For several years they raised grain, cattle, and other farm products, which were shipped to their colonies in Alaska. At the height of their activities, there were about one hundred Russians and eighty Aleuts in California. The latter did the hunting while the former raised the crops and manned the fort at Ross. In 1841, the supply of fur bearing animals being exhausted, the Russians sold their holdings and left the country.

There appears to be little evidence that burned lime was used by the Russians. In addition, there was no road within the vicinity of the kilns, and lime could have been transported only by pack animals. As the kilns are located but five miles from the inner point of Bolinas Lagoon, it would have been possible to have packed lime to that point and then to have carried it by boat to Fort Ross or San Francisco. Those who have handled fresh lime and know the effects of water and fog on this material will immediately realize the impracticability of such a course. Furthermore, there were few boxes, barrels, or kegs available for use in this commerce.

The two Douglas spruce trees growing on the kilns, one from the pit of kiln "B" and the other from the top of "C," have added confusion as to the time when the kilns may have been built. It requires years to grow a tree that is three and a half feet in diameter and over one hundred feet high. It is inconceivable that either tree could have been growing when the kilns were in use, since there would have been sufficient heat to kill any vegetation even though the walls were about two feet thick. Attempts have been made to estimate the age of these trees. J. Barton Herschler, custodian of Muir Woods National Monument, and Thomas Peryam, agricultural commissioner of Marin County, made borings with a special auger, which would remove a core and thus make it possible to count the annual rings. However, the increment auger used was only eight inches long and could not reach half of the radius of the tree. This left the remainder to be estimated and made the total subject to considerable error. The estimates ranged from ninety-five to one hundred and twenty years. The elapsed time since the kilns have been known to be in use is eighty-eight years, which fact places the age of the trees within that limit.

There are very few authentic records in which these kilns are mentioned. The original grant covering the land on which they are located was granted to James R. Berry by the Mexican Government in 1836.[1] The United States map of this ranch, made from notes of previous surveys, shows the location of the limekilns and also a house across the creek.[2] It appears, from investigations made, that the approach of the kilns was by way of the ridge from the opposite side of the creek. This original road, long since abandoned, is now scarcely a trail.

The most informative record so far discovered is a lease by Rafael García, to two men of San Rafael, which includes a permit to build and operate the kilns. This instrument, dated July 13, 1850, is a lease between "Raphael Garcier," as party of the first part and owner of the land, and James A. Shorb and William F. Mercer, parties of the second part. The lease was to run for a period of ten years and covered "all that tract or parcel of land known as the Ranch of the party of the first part and called or named 'Ponta lastera de Malo,' for all limeing & timber & wooded purposes." The lessors were to have "the privelege of building lime kilns, quar[ry]ing & using lime stone, wood for burning the kils and the entire timber privelege of the Rancho." In exchange for these privileges the parties of the second part were to give one-third of all the lime "burned in the kiln or kilns that they may erect or cause to be erected." There was also a further agreement that the parties of the second part should pay four dollars for each timber tree cut, but that no tree over three feet across the butt should be used. In con-


Limestone Ledge
Dirt Fill
A
B
C
D
8'
10'
10'
12'
9'
2'
3'
2½'
1½'
19½'
23'
16½'
7'
11'
8'
65'
X

PLAN OF ORIGINAL LIME KILNS

The "X" shows the location of the Douglas Spruce

clusion, a separate paragraph states that "the party of the first part [Rafael García] is to furnish oxen, carts and Indians, to haul all the lime burnt in the kiln or kilns to the Embarcadero and assist in loading or putting the lime in the Vessels. Also the party of the first part may receive his one-third of the lime at the kiln or Embarcadero."[3] It is assumed that the Embarcadero mentioned was the one at Bolinas Lagoon, where lumber was being shipped at the time. However, it might have been the one at Inverness Park, as this was but a short distance from García's home.

There is no record available that the lease of Shorb and Mercer was ever sold or transferred to another person. The inference then is that not only was the lime burning abandoned, but the wood and timber rights as well. On September 25, 1856, García sold this tract of land to Daniel and Nelson Olds, who held the title for many years.[4] Although the lease would have had four more years to run, there is no mention of it in the deed or transfer.

The second documentary mention of the limekilns shows that on March 15, 1852, Gregorio Briones, who owned the land on the opposite side of the creek, entered into a contract with one George R. Morris to cut wood and timber. The description of the land coming under the terms of this contract read in part as follows: "Thence running Northerly along the top of said coast ridge to a point opposite the first Lime Kiln, and now worked by a Spaniard."[5]

This indicates that at least one of the kilns was being operated in 1852. If this conjecture is correct, the Douglas spruce growing on top of the kilns must have taken root after that date. Its maximum age (in 1940) could not be more than eighty-eight years. It is probable that the tree, in view of the weakened condition of its roots, will fall within one or two years. Then a cut can be made, the annual rings counted, and this old question settled.

If one may be permitted to theorize on this subject, but one conclusion can be drawn, and that is that there were no limekilns in Marin County prior to 1850. San Francisco was a country village until the gold rush days of '49 and '50. The first building erected there that required lime in its construction was a brick house built in 1848 by Mellus & Howard at the corner of Montgomery and Clay Streets.[6] At this period the population was less than a thousand people. With the gold rush, San Francisco entered upon a boom. The population increased at the rate of two to three thousand persons a month. Building was rapid and prices were high. Many brickyards were built and put into operation throughout the country. There was a great demand for lime.

Fresh lime could not be brought any great distance by boat. The country was searched for outcrops of limerock. Shorb and Mercer, the two men who contracted to build the kilns in Marin County, were men of means. James A. Shorb, a county judge in 1850, was one of the original members of the Court of Sessions of the Marin District, established that same year.[7] Mercer was clerk of the same court. No one else was in a better position to know the conditions of the country and to inaugurate such a move for fresh lime. When the slump came in 1855, business collapsed and the kilns were left to crumble.

Speculation has run for many years as to why the work was stopped so suddenly as to leave one kiln filled but unburned. A resident for many years of the Olema region offers the following legendary explanation: In 1851 or 1852, a large construction firm in San Francisco gave the operators of the Marin kilns a contract for the lime it needed. A rival concern sent its agents to Marin and bribed the workers to spoil the lime in the burn. When samples were sent to San Francisco, they failed to meet the requirements specified and the contract was forfeited. When this information reached Marin, the kilns were shut down, leaving the one filled as it now stands.

The house or cabin across the creek from the kilns stood for many years and was finally destroyed by fire. It was built of logs or poles of Douglas spruce, and was occupied at various times but throughout most of its history remained vacant. The legend of its destruction is that a hunter, Pete Tognazzi by name, while hunting in the region found a dead man in the house and set fire to the place as the easiest way out. But that is another story.

NOTES

1. There is considerable confusion over the early title of the Tomales y Baulines grant. It is generally credited to Rafael García, whose name appears on the records in his many subsequent transactions. According to the United States Land Commission Records, Tomales y Baulines was first granted to James Richard Berry, on March 17, 1836, by Nicolas Gutierrez. (Book "D" of "Deeds," p. 150.) This contained eight leagues of land, or 23,052.52 acres. According to Eugene B. Drake, *Jimeno's and Hartnell's Indexes of Land Concessions* (San Francisco, 1861), p. 54, Tomales y Baulines was granted to "Joaquin R. Berry" on September 5, 1836; yet the same book (on p. 6) states that "Cañado de Tamales" was granted to "Dn. Jaime Ricardo Berey" on May 17, 1836.

This was later divided into two parcels. The southern part, consisting of 13,644.66 acres, was first sold to Smith and then to Bethuel Phelps. This was confirmed to Phelps by the Land Board, on February 5, 1856. The remainder, or northern part of the grant, was claimed by García. In Vol. B, p. 52, of United States Patents, García claims that this tract was granted to him on March 19, 1836, by Nicolas Gutierrez, and that it was later approved by the *Junta* on July 19, 1836. I am unable to find any record among the deeds to substantiate this claim. It is probable that García purchased the tract from Berry and then had the *Junta* approve it.

2. Official Map of Marin County, compiled from the returns of U. S. Deputy Surveyor of San Francisco, 1861; in the Recorder's Office, Court House, San Rafael.

3. In Book "A" of "Deeds," p. 13, in Recorder's Office, San Rafael.

4. *Idem*, p. 217.

5. Recorded in Book "C" of "Deeds," p. 66, Recorder's Office, San Rafael.

6. Frank Soulé, John H. Gihon, and James Nisbet, *The Annals of San Francisco* (New York, 1855), p. 205; Hubert Howe Bancroft, *History of California* (San Francisco, 1884-90), V, 679.

7. *History of Marin County, California* (San Francisco: Alley Bowen & Co., 1880), p. 218.

The Making of Cosmopolitan California

An Analysis of Immigration, 1848-1870

By Doris Marion Wright

INTRODUCTION

THE POPULATION of California at the opening of 1848 was almost unbelievably small. Exclusive of Indians,[1] it was probably "not much over 15,000, or one person to every ten square miles."[2] Of the non-Indian residents, approximately 7,000 were native Californians and 6,000 were Americans from the United States, while a sprinkling of foreigners from various other parts of the world comprised the rest.[3] In striking contrast to the states on the opposite side of the continent, California displayed a culture predominantly Hispanic-American; the language was Spanish, the religion Roman Catholic, and the way of life one of easy-going simplicity. Economically and politically, the region was undeniably backward. Its resources were not only undeveloped but for the most part were unsuspected, and such government as existed was unstable and of an anomalous character. Life was on the whole quiet and unhurried, and, as the year opened, the growth of the community was still slow and tranquil, as it had been since time out of mind. But a change was imminent. The old order, pleasant and suitable though it was, was soon to give way before the onslaught of a more vigorous and complex civilization. The year 1848 marks the beginning of a new era for California, for with the discovery of gold there began a vast immigration of people from every corner of the earth—people who were destined to effect a complete transformation in the social, political, and economic institutions of the region. It is therefore of some importance to determine who these immigrants were, and why and how they came to this out-of-the-way community bordering the Pacific.

Fortunately, immigration into California may be measured more easily than would be the case in most states. The majority of the incoming travelers arrived by sea, and since for all practical purposes San Francisco was the only port of entry, the customhouse figures for that city provide an approximate record of the bulk of the immigration. For the number of those who came overland it is necessary to rely almost wholly upon estimates; the two registers which would be of value—those kept at Fort Laramie and at the Yuma ferry—are no longer available. However, even though the immigration statistics are incomplete, a study of such records as have been found has brought to light some interesting facts and may serve to indicate possible paths for future research.

As has been stated, most of those who reached California during the period under consideration came by sea to San Francisco. It is true that in the early days of the gold rush the journey by land across the continent was more popular, but from 1851 until 1869 those who came by sea and by combination land-and-sea routes greatly outnumbered the overland arrivals.[4] Hubert Howe Bancroft states that after 1855, the year in which the railroad across the Isthmus of Panama was completed, the overland current declined to less than half of that coming by sea.[5] At first the route around Cape Horn attracted more of the emigrants than that across Panama, due partly to the fact that it was better known, and partly to the uncertainty of securing transportation on the Pacific side. According to the report of the customhouse in San Francisco, 15,597 persons reached that city via Cape Horn in 1849, while only 6,489 came by way of the Isthmus. But in 1850, travel via Panama grew in favor, and it is reported that 13,809 persons chose the Isthmus and only 11,770 the Cape Horn route during that year.[6] From that time forward the long sea journey around South America was relegated to a position of secondary importance in so far as passenger travel was concerned, although it continued throughout the clipper ship era to be much used for the sending of freight to the Pacific Coast. In 1851, more than one-half of all those who arrived at San Francisco by sea had come across the Isthmus,[7] and from 1856 until 1869 the same condition obtained.[8] Then the transcontinental railway diverted the greater portion of the emigration to cross-country travel, so that in 1870 at least 32,000 persons came overland to California, whereas only 20,000 arrived by sea.[9]

It may be of interest to inquire briefly into some of the reasons why individuals from every land and social class left their homes to come to California. Obviously, emigration is facilitated if conditions in the home country are unpleasant and if at the same time those in distant lands are attractive. From 1848 to 1870 there was a particularly felicitous combination of such factors, so that the peopling of California went forward rapidly. Such information as has been found on this subject is at best fragmentary, but it is offered in the hope that it will be of some value.

PART I

Immigration into California from the Americas and the Pacific Area

Almost all of the Mexicans who came to California[10] during the gold rush period were from the state of Sonora, and because of their proximity to the mining region, they were among the first of the immigrants to reach the gold fields. According to the best available authority, it is likely that from 4,000 to 6,000 persons left Sonora between October 1848 and March 1849. Of these, approximately 1,250 remained in California.[11] Some of the emigrants went to California by sea from Guaymas, but the greater number traveled overland. In October of 1848 the first caravan left Hermosillo, and by spring thousands of gold seekers had followed suit. In August of the next year they began to return from the mines, but exact statistics as to the number were not recorded. During the months of November and December, however, according to the official register of the prefect of Guaymas, 248 persons disembarked at that port, bringing with them some $426,000 in gold.[12]

These Sonoran migration figures seem over-conservative when compared with those given by other writers. On May 15, 1849, Jacques Antoine Moerenhout, the French consul at Monterey, wrote to the Minister of Foreign Affairs in France, "The emigration from all parts of the Americas to this place in still increasing day by day. Over ten thousand people from Sonora and Lower California, men, women, and children, have passed within a few leagues of Monterey during the last two months, and more keep coming."[13]

A month later, J. D. B. Stillman commented, "The news from California is very exciting; the rush from all quarters is astonishing. They say that there are not Americans enough to hold the country, which is in a state of anarchy; that 8,000 Mexicans from Sonora are driving our people before them."[14]

The Sonoran migration reached its peak in 1850. In that year a memorial was sent to Congress asking for the establishment of a customhouse in San Pedro, and in this document it was alleged that "at least ten thousand Sonorans pass through Los Angeles on their way to the mines each spring, generally returning to Mexico in the autumn."[15] After 1850 the migration decreased rapidly, and by 1854 it had practically ceased.[16]

In California, the most famous Sonoran settlement was Sonoranian Camp (which later became the town of Sonora). In the fall of 1849 its population was estimated at 5,000 persons; but in the summer of 1850 the Foreign Miners' Tax, which required the payment of $20 per month of all miners who were not citizens, led to the efflux of about half of these.[17] Evidently some of the Sonorans in this camp were addicted to elaborate dress; in 1850 a visitor there, much impressed, wrote to his wife in Oregon:

> .... the Mexican dandies would make quite an excitement on Chesnut Street or Broadway .... they wear drawers of the finest linnen and their Pantalons are of the finest french cassimer, the Pantaloons are always of two colours, light blue and dark blue or black trimed with gold Lace about 3 inches wide .... they wear a round about with a multitude of Buttons and the whole back is covered with silk braid—on their heads they wear a high crowned, broad rimed glazed hat—with a heavy gold cord and tassel and on each side near the top they have other ornaments—and they walk as if the ground was not good enough for them to walk upon.[18]

The miners from Mexico were for the most part not welcomed in California. An observer of that day commented, "The Mexicans are disliked and almost hated by the other miners because of their frequent quarrels as well as their customary disturbing, dizzy life. They are shunned or crowded out if their presence cannot be otherwise avoided."[19] But the "dizzy life" was only a part of the trouble. Anti-foreign sentiment was largely directed toward Latin-Americans during the gold-rush period, so that by 1854 many of the Sonoran miners had returned to their homes, and Mexican immigration into California was no longer of any importance.

As might be supposed, Chile and Peru furnished the largest number of South American emigrants to California from 1848 to 1870. Because these countries had carried on some trade with the west coast of North America before the gold rush began, their seamen were well acquainted with the route and knew something of conditions in California.

The Chilean brigantine *J. R. S.*, sixty-four days from San Francisco, reached Valparaiso on August 19, 1848, bringing news of the gold discovery.[20] Less than a month later another Chilean vessel arrived from California with $2,500 in gold dust on board.[21] By this time people were already leaving for the mines, although the newspapers ignored the reports, and such information as was circulated had to go by way of mouth. Finally, on November 4, 1848, the Valparaiso *Mercury* published an article entitled "The Gold Mines of California."[22] The excitement was intense. Several vessels left for California during that month, and soon not enough remained to carry on the coastwise commerce.[23] By February it was estimated that two thousand Chileans had gone to the gold regions. Valparaiso had lost her best artisans, and the shortage of labor was viewed with some alarm.[24]

There were compensations, however. California provided excellent markets for Chilean agricultural products; and such commodities as wheat, flour, barley, maize, beans, and potatoes, as well as dried fruits and jerked beef, soon brought more than double their former prices.[25]

Most of the Chilean gold seekers reached California between September 1848 and May 1849, many of them preceding by six months or more the overland emigrants from the United States.[26] In July of 1849, Chile's president, Benavente, stated that during the previous nineteen months 3,000 passports had been drawn up for California-bound travelers, but that the actual number of emigrants was undoubtedly much greater. Confirming this belief, the *Alta California* estimated that some 5,000 Chileans had arrived in San Francisco during the first six months of 1849.[27] It was apparent that the passport requirement was being disregarded, and it was presently abolished by law.[28] The depopulation of Chile continued to be a serious matter for some years, and as late as 1852 there were complaints from those whom it affected.[29]

Although no estimates have been found as to the number of Chileans who returned to their native land, there must have been many who left California for their own country. They were not readily assimilated into the population, and the Foreign Miners' Tax and other discriminatory measures tended to drive them out of the gold regions. Most of those who remained worked in the southern mines, where they could associate with the Spanish-speaking Mexicans. It is of some interest to note that a number of Chileans brought their families to California,[30] an unusual procedure for immigrants in the early days of the gold rush.

Almost no detailed information relative to immigration into California from other South American countries between 1848 and 1870 has been found.[31]

Hawaii[32] had been looking to California and to Oregon as potential markets for some time before the gold rush began. "It was generally agreed that the new states on the Pacific seaboard would provide a large and convenient market for the tropical products of Hawaii, in particular for sugar, molasses, and coffee."[33] With the coming of the news of the California gold discoveries, published in the *Polynesian* of June 24, 1848, these prospects brightened considerably. An observer in Monterey sent the following message to Honolulu: "The effect of all this will be to bring all the immigrants from the United States into California, and even the Oregonians will pick up and move this way. The harvests will suffer, all mechanical business cease, and we shall have plenty of gold dust, and nothing else."[34] This state of affairs seemed to presage golden opportunities for the Islanders. One of the Honolulu newspapers surmised that should the gold regions continue to be productive, "a vast population will be suddenly thrown into California; the demand for Hawaiian produce will be greatly increased . . . ."[35]

Although these prophecies turned out to be valid, the gold discovery was not an unmixed blessing in the Islands. In the first place, the gold fever carried off most of the foreign residents, among whom were many mechanics and laborers. Consequently there was a severe labor shortage, and such workers as could be hired demanded exorbitant wages.[36] Then too, the price of foodstuffs in Hawaii soon rose to great heights,[37] due not only to the fact that the agricultural products of the Islands brought such excellent returns from the gold regions, but also in part to the great influx of miners and other persons from California who came to Hawaii to spend the winter.[38]

The rush to the gold fields began immediately upon the reception of the news in Honolulu, and all available vessels departed at once for San Francisco. In the middle of July 1848, Samuel Varney wrote from Honolulu to Thomas O. Larkin, "The fever rages high here and there is much preparation making for Emigration. I hope they will realize all they anticipate."[39] During the last six months of this year, twenty-two merchant vessels left Honolulu for California, according to the records of the customhouse of that city.[40] By the first of October it was estimated that three hundred foreigners had gone to the gold region.[41] The normal routine of life in the Islands was greatly disturbed, for the emigrants were drawn from every social class and occupation. Even the missionaries were affected. One historian has written as follows concerning a Presbyterian minister in Hawaii:

> .... When the news of the discovery of gold in California reached the Islands every foreigner who could get away started for the new territory. Mr. [Timothy Dwight] Hunt's congregation being thus naturally dissolved, he "obtained a leave of absence for three months with the privilege of continued absence or return, as Providence should indicate," and set out with the rest of Honolulu for San Francisco.[42]

A good many of the natives, too, went to California, where they were known as Kanakas and were reputed to be cheap but inefficient laborers. A few of them met with some financial success in the gold region. Socially, however, they had no standing; they seldom cooperated with miners outside their own group, and their method of diving in the rivers for the precious ore was strangely disconcerting and distasteful to those who employed more orthodox means.

Gradually, as conditions in San Francisco became more stable, Hawaiian affairs settled into a new routine. Professor Kuykendall, an authority in this field, has written:

> .... Whereas in the earlier period Honolulu was an emporium from which California purchased a substantial part of the manufactured goods it needed, at a later time San Francisco became an emporium from which Honolulu merchants made the greater part of their wholesale purchases of foreign merchandise; to balance the account, Hawaii sent the bulk of its exports to California; and trade between Hawaii and the Atlantic seaboard of the United States diminished, relatively, as trade between Hawaii and California increased in volume.[43]

Although many other islands of the Pacific contributed to the peopling of California in this period, no definite statistics as to the volume of emigration have been found.[44]

As for Australia, gold deposits were known to exist there long before the precious metal was found in California,[45] but the governments of that country, fearing the results of a gold rush among the convicts who had been sent there from Great Britain, were unwilling to allow reports of the discoveries to circulate. Thus it was that men journeyed all the way from Australia to California, not realizing that they could mine gold more easily at home.[46]

In some of the Australian cities, huge posters announcing "Gold! Gold! in California!"[47] aroused adventurous spirits and provided stimuli for emigration. Soon it became difficult to secure passage on ships bound for San Francisco. The Honolulu *Friend* reported on April 2, 1849, that at last accounts from Sydney no less than eleven vessels were advertised to take passengers from that port to California.

Many of the convicts who had been sent from Great Britain to Australia were attracted temporarily to the gold region. These Botany Bay convicts and their associates lived in a section of San Francisco known as Sydney Town, from which headquarters their notorious gangs contributed largely to the general disorder of the city. It is even reported that one of these men, Thomas Belcher Kay, a former British prison inmate who held in San Francisco the position of warden of the port, "outlined a tempting scheme for looting the Custom House."[48]

Sydney Ducks and Botany Bay convicts found little welcome in California, and when gold discoveries were announced in Australia in 1851, most of them returned to that country. As a matter of fact, some of them went under compulsion in that year, having been requested by the Vigilance Committee to leave California.[49]

There was undoubtedly some immigration of Malays into California, but no official information concerning them has been found.[50]

News of the California gold discoveries reached China in 1848, but conditions at that time were not conducive to emigration on a large scale. It is true that there was a good deal of excitement and that the new markets across the Pacific had a stimulating effect upon certain industries. Also, some attempts were made to induce the Chinese to go to the gold region. Enticing literature was distributed to prospective emigrants, and foreign ships stood ready to carry them to California. The peasants were attracted by the reports of high wages paid to agricultural workers in the distant land.[51] But it was not until 1850 that the principal contributing factor to the Chinese emigration of this period came into existence. In that year the great Tai-ping rebellion began in southeastern China, and the resulting decline in trade and industry led to an extensive efflux. Those who could afford to do so shipped for the gold fields of California or Australia.[52]

Of the Chinese who reached California, the majority were from the agricultural districts of Kwang Tung[53] and were men of the lower classes; social prejudice made it impossible for those of the upper strata to leave China.[54] And although almost all of these men were married, Chinese custom compelled them to leave their wives at home.[55] Thus it is easy to understand why the Chinese who made money in California did not spend it there but sent it home for the support of their families. In most cases they looked forward to the time when they could themselves return to China. As for the character of the emigrants, Mary Roberts Coolidge states that they were "free agricultural peasantry from the country districts and villages—young, thrifty and industrious."[56] They were not criminals, nor were they paupers, although economic rather than religious or political motives brought them to the gold region.[57]

At first, the Chinese were welcomed in California. Their labor was needed, and they were willing to do work to which the Anglo-Saxon would not stoop—women's work, and menial labor of all kinds. "Whatever the white man scorned to do the Chinaman took up; whatever white men did, the Chinese could learn to do; he was a gap-filler, doing what no one else would do, or what remained undone, adapting himself to the white man's tastes, and slipping away, unprotesting, ... when the white man wanted his job."[58] On March 8, 1850, the *Alta California* expressed the consensus of opinion: "The Celestials are very useful, quiet, good citizens and are deserving the respect of all." The following excerpt from a letter written by a visitor to California and dated December 1850 also illustrates the general attitude:

> There are many Chinese here, and they are the most interesting class of foreigners in the country. To all appearances they are the most sober, honest and industrious people in this country. Their deportment is grave and dignified. They seem never to meddle or interfere in any manner with the affairs of others . . . . We also have men here from the Sandwich, and from almost all of the Pacific islands of note, from New Zealand, New Holland, and from other Asiatic countries. But of all the people of these countries I have seen, I am most favorably impressed with the Chinese . . . .[59]

In 1852, Chinese immigration into California reached its maximum; figures from the San Francisco customhouse indicate that 20,026 came by sea in that year.[60] According to one report, 2,067 of these arrived within forty-eight hours during the month of July.[61] Anti-Chinese sentiment was by this time increasing rapidly, especially in the mining region. It had been first concretely expressed in the Foreign Miners' Tax of 1850, which required a license fee of $20 per month of miners who were not citizens. Although this piece of legislation was aimed principally at the Latin Americans, there was behind it some feeling against the Chinese. It was subsequently repealed and re-established with lower fee requirements;[62] but between 1850 and 1870, inclusive, the revenue from this tax amounted to one-half the total income of the State of California, and from 1855 forward the Chinese were responsible for nearly all of the money thus collected.[63]

By 1860 the Chinese were monopolizing several of the industries in California, such as the making of shoes, shirts, underwear, cigars, and tinware, and the packing of pork and the drying of fish.[64] It was in this year that the citizens of San Francisco sent "a monster document, 247 feet long, and containing 11,000 signatures, headed by a protest against Chinese *Cooleyism* in this State," to the Legislature in Sacramento.[65]

During the next decade the Chinese were imported in large numbers to help build the railroad and to do other work which required cheap labor. By 1870 there were 48,826 of them in California,[66] and the Chinese question had become so serious as to require definite and immediate action.

Emigration from Japan was a capital offense from 1636 to 1866. Not until the latter year were natives allowed to leave Japanese territory, and although at that time some provision was made for certain Japanese to study abroad, general emigration was still prohibited.[67] As late as 1870 there were very few Japanese in California, and it seems fairly certain that these people contributed almost nothing to the development of the state up to that time.

Although it is probable that the report of the discovery of gold in California was not brought to Oregon[68] before August 1848, the men of that territory very soon reached the mines. The *Californian* of September 2, 1848, commented upon the reception of the gold news, referring to a letter from Oregon dated August 12 of that year:

> The Indian wars had been finished—the settlers returned to their homes, and things had begun to assume their usual course, when an arrival from this country bringing the news of the "golden times" set the whole territory in a ferment . . . . We learned that about 300 persons are on the road to this country by land, and also that three schooners from the River [Columbia] may shortly be expected here.

Five days later the Oregon *Spectator* stated that 3,000 officers, lawyers, physicians, farmers and mechanics were leaving for the gold fields.[69] Peter Burnett estimated that "at least two-thirds of the male population of Oregon, capable of bearing arms, started for California in the summer and fall of 1848."[70]

The gold seekers from Oregon, however, had no intention of staying in California. "They have come down to Dig gold," commented one of the miners in 1849. "When they make their 'piles' they intend to go back."[71] In the same year another writer observed:

> The effect of the gold of California upon the prosperity of Oregon, already beneficial, seems likely to continue so in a more eminent degree. Large numbers of her *hardy* and *industrious* settlers, spent the last *winter* in the mines of California; generally with success commensurate with their perseverance, prudence, and sobriety. We met and conversed with many of these while in the country, and their general estimate was, that fifteen hundred Oregonians had returned, or were on their way home, with an average of fifteen hundred dollars, each, in gold dust, which would make up an aggregate of two and a quarter millions of dollars; and we do not think two millions would be an over estimate. All these Oregonians return to resume their residence in the Willamette Valley, though some of them will again visit the mines of California next winter.[72]

Similar conditions were reported in 1850; one of the California miners wrote in his journal, "I learned that most of the men from Portland are prepairing [sic] to return home this fall."[73] It is evident that in these early years the miners from Oregon came to California simply for the gold, and when they had enough, or as much as they could get, they went home again. Therefore it is unlikely that they had any great influence on the development of California at this time.

On August 19, 1848, the New York *Herald* published the story of the California gold discovery,[74] thus giving an air of authenticity to some of the fantastic reports that were circulating in the United States.[75] But it was not until early in December, when President Polk's message to Congress confirmed these rumors, that the rush to the Pacific Coast began.

Affairs in the United States were on the whole conducive to emigration. Economic necessity, however, played only a small part, for the country was in a fairly prosperous condition. The Mexican War had had a salutary effect upon business; it had also released thousands of young men who were looking for excitement and employment[76] and to whom a fortune-hunting expedition to California appealed strongly. And among all classes the general social unrest which remained after the war was over fostered the spirit of adventure, so that people gladly took advantage of any opportunity to postpone the inevitable return to a prosaic existence.

About two weeks after Polk had delivered his December message, John F. Crampton, a British diplomat, wrote home to England:

> The accounts which, by previous channels, have reached the eastern parts of the United States, of the discovery in California of a region which is represented to be more rich in gold, lying upon the surface of the soil in such a manner as to require but little labour or skill for its collection than has yet been met with on any part of the American continent, has produced an excitement which seems likely to result in one of those popular manias which the prospect of sudden gain is so apt to give rise to among a people so enterprizing and so passionately addicted to all money making pursuits as the Americans.
> . . . . Upwards of five & twenty ships are already, I understand, in active preparation at New York alone, to sail for California with passengers; and such is the eagerness of all classes to embark for this new El Dorado that it is believed that double that number of vessels would not suffice for the applications already made for passages . . . .[77]

Most of the people in the United States were affected by the exodus, either directly or indirectly. In a good many cases, those who could not well get away financed those whose home ties were more easily broken. In every seaport town the available vessels were fitted up and sent out on the journey around the Horn or to one of the Isthmus or Mexican ports. Everything that would float was calked and painted and filled up with gold seekers who were in too great a hurry to be over-particular about the means of conveyance. And on the western frontier people began to gather along the Missouri River and in some of the Texas towns, impatient for the advent of spring and for the opportunity to begin the long and difficult journey overland.

The contribution of the United States to the peopling of California is of some interest. The statistics for 1848 and 1849 are too fragmentary to make possible a comparison of the native- and foreign-born population of the territory, but for 1850 the federal census figures indicate a ratio of approximately 76% native-born (that is, born in the United States) to 24% foreign-born. In 1860 the native-born residents comprised about 61%, and in 1870 63%, of the total for California.

The greater part of the native-born population came from outside the state, and it may be of value to consider the contributions made by the major sections of the country.[78] The following conclusions are based on an examination of the federal census figures for the period under consideration. In 1850, most of the native-born residents of California were from the northern section of the United States, although the West was a close competitor. In each of the next two decades the West was by far the largest contributor, while the percentage of residents born in the South grew successively smaller. Thus in 1860 the southerners in the state numbered less than 29,000, whereas there were more than 74,000 persons from the northern section of the country. In 1870 the difference between the contributions of these two sections was even more marked; not quite 28,000 southerners were reported in that year, while the number of those born in the North approximated 85,000.[79]

(To be continued)

NOTES

1. Estimates of the Indian population of California are at best highly speculative; one authority, C. Hart Merriam, has estimated that by 1849 there were fewer than 100,000. See Alfred Louis Kroeber, *Handbook of the Indians of California* (Washington, D. C.: Smithsonian Institution, 1925), p. 891.

2. Robert Glass Cleland and Osgood Hardy, *March of Industry* (Los Angeles: Powell Publishing Company, 1929), p. 35.

3. Hubert Howe Bancroft, *History of California* (San Francisco, 1884-90), VI, 2-3.

4. See Appendices C and D.

5. Bancroft, *op. cit.*, VII, 698.

6. See Willard B. Farwell, "Cape Horn and Cooperative Mining," *Century Magazine*, n. s. XX, 593.

7. In 1851 the total number of passengers who came to San Francisco by sea was 27,202. San Francisco *Daily Herald*, Jan. 21, 1854. Those who came by way of Panama in that year numbered 15,464. See John Haskell Kemble, "The Panama Route to California, 1848-1869" (unpublished Ph.D. thesis, University of California, 1937), pp. 529-30.

8. See Appendices C and E. The arrivals via Panama for 1868 were 38,680, but for 1869 the number dropped abruptly to 12,744. John Haskell Kemble, *op. cit.*, pp. 529-30.

9. John S. Hittell, *A History of the City of San Francisco and Incidentally of the State of California* (San Francisco, 1878), pp. 491-92.

10. The only detailed source of information regarding Mexican emigration to California, 1848-70, has been found in José Francisco Velasco, *Noticias estadisticas del estado de Sonora, acompanadas de ligeras reflecsiones, deducidas de algunos documentos y conocimientos practicos adquiridos en muchos anos* . . . . (Mexico, 1850), which is the study of Sonorans who went to the California gold fields in the early years of this period.

According to the United States Consulate General in Mexico City, it is doubtful whether accurate figures concerning Mexican emigration to California can be obtained, since "The Government of Mexico did not undertake the compilation of emigration figures of any kind until the year 1912, and its present published figures show only emigration to countries, without regard to ports of entry or sections of the country to which the emigrants are destined." (U. S. Consulate General, Mexico City, to author, Dec. 8, 1939.)

Attempts to obtain information from the archives of the State of Sonora have also been unsuccessful. The United States Consulate in Nogales, Sonora, in a letter to the author, December 14, 1939, states that "It is understood that no immigration restrictions were in force along the Arizona-Sonora border in those days and, for this reason, it is believed that you will be obliged to rely upon historical publications for information of this nature." The archivist of the Sonora State Archives in Hermosillo has assured the writer, verbally and by letters of January 20 and March 9, 1940, that records in the Palacio del Gobierno of that city undoubtedly contain much information about this subject, but, owing to the fact that there is no index for the archives of this period, it would be a laborious task to find the pertinent data.

11. Velasco, *op. cit.*, p. 281.

12. *Ibid.*, p. 289.

13. Jacques Antoine Moerenhout, *The Inside Story of the Gold Rush* (San Francisco: California Historical Society, 1935), p. 57.

14. J[acob] D[avid] B[abcock] Stillman, *Seeking the Golden Fleece* (San Francisco, 1877), p. 104.

15. James Miller Guinn, "The Sonoran Migration," Historical Society of Southern California *Publications*, VIII (1909-10), 33.

16. Guinn, *loc. cit.*

17. Heckendorn and Wilson, *Miners and Business Men's Directory . . . . for . . . . 1856 . . . .* (Columbia, California, 1856), p. 37.

18. Letter from a miner to his wife in Salem, *in re* mining conditions, social life and customs, and family affairs, Sonora, May 1850. (MS, Huntington Library.)

19. Carl Meyer, *Bound for Sacramento: Travel Pictures of a Returned Wanderer*, tr. by Ruth Frey Axe (Claremont, California: Saunders Studio Press, 1938), p. 97.

20. Roberto Hernandez Cornejo, *Los Chilenos en San Francisco de California (Recuerdos historicos de la emigracion por los descubrimientos del oro, iniciada en 1848)* (Valparaiso, 1930), I, 18.

21. *Ibid.*, I, 20.

22. *Ibid.*, I, 28.

23. *Ibid.*, I, 119.

24. *Ibid.*, I, 78-79

25. *Ibid.*, I, 80.

26. *Ibid.*, II, 105.

27. Quoted in *ibid.*, I, 114.

28. *Ibid.*, I, 117.

29. George Bruce Upton, Jr., to G. B. Upton, Sr., April 7, 1852. (MS, Huntington Library.)

30. Daniel B. Woods, *Sixteen Months at the Gold Diggings* (New York, 1851), p. 100.

31. The United States Consul General at Lima reports that, to his best knowledge and belief, ". . . . there are no such sources in existence. The years mentioned were years of turbulence in Peru and records and statistics of all kinds were fragmentary and haphazard. Of these practically all were destroyed or lost during the military occupation of Lima during the war of 1880.

"If there were any Peruvians who went to California during the years mentioned, and there certainly must have been a few, they certainly traveled by sea, as at that time all travel from one city in Peru to another was by water because there were no highways. Even now, 55 or 60 percent of the Peruvian population is pure Indian in blood. It is certain that not one of these went to California. It is very doubtful if any *cholos*, or mixed bloods, made any such journey and it is safe to assume that any Peruvians who may have migrated to California were pure or almost pure white and of Spanish descent." (U. S. Consulate General, Lima, to author, Dec. 20, 1939.)

The Prefectura del Departamento de Lima stated that no statistics for the period under consideration are available "because the emigration to foreign countries was not subjected to passports which now are granted since the year 1917 by this Prefectura to Peruvian citizens who are leaving abroad." (Prefectura del Departamento de Lima to the author, Jan. 18, 1940.)

The Instituto Tecnico de Inmigracion y Colonizacion at Caracas, Venezuela, has stated that it has no statistics pertinent to the study of Venezuelan emigration to California, 1848 to 1870, but has suggested that the Ministro de Fomento, through the Direccion de Estadistica, may be able to supply such data. (Letter to the author, Feb. 27, 1940.) No reply has as yet been received from the Ministro de Fomento.

32. Ralph Simpson Kuykendall, *The Hawaiian Kingdom, 1778-1854: Foundation and Transformation* (Honolulu: University of Hawaii, 1938), has been found most helpful in providing information about Hawaiian emigration to California, 1848-54. Newspapers of the period 1848 to 1870 are valuable, although most of the figures given are estimates

rather than actual statistics. Hawaiian archives evidently contain pertinent materials. Professor Kuykendall writes that:

"One difficulty in measuring the movement of population from here [Hawaii] to California lies in the fact that California is not a terminal, and that a great many of those who went from here to California did not stop there, but went on to the eastern part of the United States or to Europe. . . . . There were also many who went from here to California on business or for short visits and who would not count as immigrants in the proper sense. And, of course, many who went from here to California were merely returning after a visit to the islands.

"So far as I can find out by a cursory examination, there are about three main sources of information available here. One is the record of passports issued by the Hawaiian Government. The librarian of the archives informs me that this record, so far as it exists in the archives for the years referred to, begins in 1845 and runs through the 1850's; it is in two volumes. This is good as far as it goes. A second source is the ships' passenger manifests, a good record but incomplete. Another record is the passenger lists of outgoing and incoming vessels, published in the local newspapers (files of some of papers are available in California). Unfortunately, this record is also incomplete, and the lists give nothing but the names of passengers on the various ships." (Ralph S. Kuykendall to the author, Feb. 15, 1940.)

The United States Customhouse in Honolulu reports that it has no records of passengers leaving the Hawaiian Islands for California from 1848 to 1870 but suggests that the Territorial Archives, Honolulu, may be able to supply this information. (U. S. Treasury Department, Customs Service, to author, Feb. 26, 1940.)

33. Kuykendall, *The Hawaiian Kingdom*, p. 319.

34. W. C. to Samuel Damon, in Honolulu *Friend*, July 1, 1848.

35. Honolulu *Friend*, Aug. 1, 1848.

36. Kuykendall, *op. cit.*, p. 320.

37. Albert Lyman, *Journal of a Voyage to California, and Life in the Gold Diggings, and also of a Voyage from California to the Sandwich Islands* (Hartford, Conn., 1852), p. 161.

38. Kuykendall, *op. cit.*, p. 320.

39. Varney to Larkin, July 15, 1848; in T. O. Larkin, "Documents for the History of California" (MS, Bancroft Library), VI, 145.

40. Honolulu *Friend*, Feb. 1, 1849.

41. *Ibid.*, Nov. 1, 1848.

42. Edward Arthur Wicher, *The Presbyterian Church in California: 1849-1927* (New York: Frederick H. Hitchcock, 1927), p. 38.

43. Kuykendall, *op. cit.*, pp. 320-21.

44. In regard to emigration from New Zealand to California during the period under consideration, the United States Consulate General in Wellington, New Zealand, states that in the opinion of officers of the New Zealand Government who were consulted ". . . . it was negligible. . . . . Gold was discovered in New Zealand in 1852, which resulted in a mild 'gold rush,' but there was also a real gold rush in Australia at that time, and there was no large gold rush in New Zealand until 1861, when 'Gabriel's Gully' was discovered. . . . . During a considerable part of the period in which you are interested, immigration to New Zealand was subsidized and much encouragement was offered to induce persons to remain in the country. . . . . In view of the heavy increase in population here, it is unlikely that any considerable number of colonists went to California, and it is interesting to note that there was no regular mail service to San Francisco until 1870. . . . . The records of the country in its early days are far from complete." (U. S. Consulate General, Wellington, New Zealand, to the author, Jan. 9, 1940.)

As for the Philippine Islands, the office of the United States High Commissioner in Manila was of the opinion that the desired information was unobtainable there since "records considered as obsolete are destroyed from time to time, and the emigration records of the Spanish administration might easily be so considered." (U. S. High Commissioner to the author, Dec. 27, 1939.) The Director of the National Library was also unable to furnish the desired information. (United States High Commissioner, Manila, to author, Jan. 26, 1940.)

The United States Consulate in Tahiti, Society Islands, reported that the local government had no statistics on file regarding the emigration of people from Tahiti and the Marquesas Islands to California during the years 1848 to 1870. (U. S. Consulate, Tahiti, to the author, Feb. 6, 1940.)

45. Statistics of Australian migration to California, 1848 to 1870, evidently cannot be obtained without extensive research. The United States Consulate General at Sydney referred the author's inquiry to the Government Statistician, Bureau of Statistics and Economics, Sydney. That officer replied that he had no knowledge of any official source for this information, and that the only reference he had been able to trace is in *The Australian Dictionary of Dates, and Men of the Time*, compiled by J. Henniker Heaton and published in Sydney in 1879. On page 109 the following extract appears: "Announcement that gold has been discovered in California, February, 1849. (By June of the same year nearly 300 persons had left New South Wales for that place. In a short itme the emigration to the auriferous region resulted in a great depreciation of property in the Colony; many availing themselves of the crisis to become purchasers, afterwards realised fortunes to a great extent)." (U. S. Consulate General, Sydney, to the author, Jan. 17, 1940.)

The Mitchell Library, Sydney, and the Commonwealth Bureau of Census and Statistics, Canberra, Australia, were unable to produce any information on the subject.

46. Frederick Cecil Rhodes, *Pageant of the Pacific: Being the Maritime History of Australasia* (Sydney: F. J. Thwaites [1934, 1936]), II, 11.

47. Owen Cochran Coy, *The Great Trek* (Los Angeles: Powell Publishing Company, 1931), p. 77.

48. Mary Floyd Williams, *History of the San Francisco Committee of Vigilance of 1851* (Berkeley: University of California Press, 1921), p. 123.

49. *Ibid.*, pp. 233-36.

50. The United States Consulate General in Singapore, Straits Settlements, "has no record of this immigration, and so far as it is aware there is no source in Malaya from which even approximate estimates can be obtained. Informal inquiries have been made of the Immigration Bureau in Singapore, but as this organization was established only in recent years, it has no figures on the subject." (U. S. Consulate General to the author, Singapore, March 1, 1940.)

51. Mary Roberts Coolidge, *Chinese Immigration* (New York, 1909), p. 17. This was found to be the most helpful general work on this subject.

52. *Ibid.*, pp. 17-18.

53. *Ibid.*, p. 19.

54. *Ibid.*, p. 16.

55. *Ibid.*, p. 18.

56. *Ibid.*, p. 20.

57. *Ibid.*, pp. 20-21.

58. *Ibid.*, p. 22.

59. Lorenzo Sawyer, *Way Sketches Containing Incidents of Travel Across the Plains from St. Joseph to California in 1850, with Letters Describing Life and Conditions in the Gold Region* (New York: Edward Eberstadt, 1926), p. 125.

60. See Appendix E.

61. Hinton Rowan Helper, *The Land of Gold: Reality versus Fiction* (Baltimore, 1855), II, 32.

62. Frances Cahn and Valeska Bary, *Welfare Activities of Federal, State and Local Governments in California, 1850-1934* (Berkeley: University of California Press, 1936), p. 337.

63. Mary Roberts Coolidge, *op. cit.*, p. 36.

64. Bertram Johannes Otto Schrieke, *Alien Americans: a Study of Race Relations* (New York: The Viking Press, 1936), p. 9.

65. Henry G. Langley, *The San Francisco Directory for the Year 1860 . . . .* (San Francisco, 1860), p. 27.

66. See Appendix B.

67. Yamato Ichihashi, *Japanese in the United States: a Critical Study of the Problems of the Japanese Immigrants and Their Children* (Stanford University: Stanford University Press, and London: Oxford University Press, 1932), p. 1.

68. In connection with the problem of determining the amount of emigration from this territory into California, the following statement has been made by Mr. W. J. Ghent:

"You will have exceptional difficulty in attempting to fix the migration from Oregon to California and vice versa. Many of the migrants going to either of the territories decided to move on to the other, and perhaps half of these who so moved on subsequently decided to go back to the first destination, many even returning to the States." (W. J. Ghent to the author, Dec. 17, 1939.)

69. Quoted by the Oregon Historical Society in a letter to the author, Feb. 20, 1940.

70. Peter H. Burnett, *Recollections and Opinions of an Old Pioneer* (New York, 1880), p. 254.

71. Joseph Warren Wood, "Journal of an Expedition to California: 1849-1853" (MS, Huntington Library), entry of Nov. 11, 1849.

72. Theodore T. Johnson, *Sights in the Gold Region and Scenes by the Way* (New York, 1849), pp. 227-28.

73. Henry Sturdivant, "Journal from December 8, 1849, of a Voyage to California" (MS, Huntington Library), entry for Sept. 28, 1850.

74. Douglas S. Watson, "The Great Express Extra of the California Star of April 1, 1848," in this QUARTERLY, XI (June 1932), 129.

75. Materials for the study of emigration to California from the United States:

Port Statistics: An effort was made to find out what port statistics are available for the study of emigration to California from the United States, 1848 to 1870. The Treasury Department, Bureau of Customs, Washington, D. C., was unable to supply the information (letter to the author, Jan. 8, 1940) and the offices of the United States Customs Service in New York, Boston, and Baltimore reported that the ships' manifests for the years 1848-70 had been destroyed. (Letters to the author, Feb. 10, Jan. 23 and Feb. 21, 1940.) The office at Portland stated that "vessels moving between states on this coast are not required to file or make any report of such a movement or voyage and, consequently, we are without any such record covering the number of vessels or passengers carried." (U. S. Customs Service, Portland, Oregon, to the author, Feb. 6, 1940.)

Customhouses at New Bedford, Philadelphia, New Orleans, and Galveston likewise reported that they have no pertinent records. In so far as is known, the records of the San Francisco Customhouse are the only ones available. "They begin in 1851 and for several years thereafter are not believed to be complete. The records covered arrivals, not departures." (U. S. Department of Labor, Immigration and Naturalization Service, San Francisco, to the author, April 1, 1940.) Statistics based on some of these records were published in newspapers of that period; they have been supplemented by such other statistics as have been found and may be seen in the Appendices.

Overland statistics: Figures for the overland emigration for the United States during this period are even more difficult to obtain. The best estimates that have been found are listed in Appendix D.

Two records of overland migration would, if available, be of considerable value. A register of the number of emigrants passing Fort Laramie was kept there, apparently under the auspices of the War Department, from 1849 to 1852. According to information given by the National Archives in Washington, D. C., the Fort Laramie register was destroyed by fire in the 1850's, and no copy of it is known to exist. (National Archives to the author, April 3, 1940.) Scattered statistics from the register appear in the Nebraska State Historical Society *Publications*, Vol. XX, and in some of the diaries and journals of overland travelers of that time.

The other record of overland emigration was that kept at the Yuma ferry from 1851 forward. According to the daughter of the operator of this ferry, the record has been lost. (Mrs. C. Monterey to the author, *ca.* April 1, 1940.) The only other source of information is the Historical Society of Southern California, which printed the story of this ferry in its *Publications* for 1888-89.

Censuses: The United States censuses of 1850, 1860, and 1870 offer the most readily available statistics relevant to this investigation. They are not satisfactory but are the best that are accessible. The original returns of the 1860 schedules for California are in the archives of the Secretary of State in Sacramento. Professor Carl O. Sauer of the Department of Geography, University of California, has microfilms of the California schedules for 1850, 1860, and 1870. The original returns of the State census of 1852 are in the archives of the Secretary of State but are in a state of disintegration. The Daughters of the American Revolution copied what they could of this census; their typed transcript, dated 1934, is in the State Library, California section, Sacramento. Unlike the federal censuses, the State census of 1852 reports the last residence of each individual, which is of considerable importance in this investigation.

76. Hittell, *op. cit.*, p. 130.

77. Great Britain, Public Record Office. Foreign Office 5, Vol. 487 (2 vols.), II, No. 139. Photostat, U. S. Library of Congress.

78. The following division has been selected for this study: *North:* Maine, Vermont, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, Pennsylvania, and New Jersey. *South:* Maryland, Delaware, Virginia, West Virginia, North and South Carolina, Georgia, Florida, Kentucky, Tennessee, Mississippi, Alabama, Louisiana, and the District of Columbia. *West:* Ohio, Indiana, Illinois, Michigan, Wisconsin, and everything west of the Mississippi River except Louisiana. For census figures, see Appendix A.

79. Contributions to the native-born population of California, by sections of the United States, are roughly indicated by the chart below. The figures are round numbers; the sections are those previously defined.

	1850	*1860*	*1870*
North	27,000	74,000	85,000
South	18,000	29,000	28,000
West	25,000	129,000	236,000
Total	70,000	232,000	349,000

APPENDIX A

The Native-Born Population of California, Distributed According to Place of Birth

Born in:	*1850*[1]	*1860*[2]	*1870*[3]
Alabama	631	1,382	1,258
Arkansas	350	2,216	2,396
California	6,602	77,707	169,904
Connecticut	1,317	2,950	2,977
Delaware	305	392	408
Florida	54	129	134
Georgia	876	1,111	1,024
Illinois	2,722	8,251	10,689
Indiana	2,077	4,639	5,190
Iowa	341	2,571	5,367
Kansas	....	64	279
Kentucky	4,690	7,029	6,605
Louisiana	929	2,020	1,979
Maine	2,700	9,864	11,261
Maryland	1,164	2,456	2,596
Massachusetts	4,760	12,165	15,334
Michigan	284	2,301	3,032
Minnesota	....	83	461
Mississippi	772	894	995
Missouri	5,890	14,002	16,050
Nebraska	....	....	237
Nevada	....	....	1,086
New Hampshire	904	2,552	2,720
New Jersey	1,022	2,148	2,598
New York	10,160	28,654	33,766
North Carolina	1,027	1,582	1,630
Ohio	5,500	12,592	12,735
Oregon	....	636	2,481
Pennsylvania	4,506	11,143	11,208
Rhode Island	861	1,319	1,418
South Carolina	519	782	851
Tennessee	3,145	5,197	4,686
Texas	250	1,114	1,887
Vermont	1,194	3,419	3,500
Virginia and West Virginia	3,407	5,157	5,293
Wisconsin	248	1,999	3,086
District of Columbia	86	406	485
Territories	317	1,088	1,609
Not stated, and at sea under the U. S. flag	....	1,363	1,225
Total native-born	69,610	233,466	350,416

[1] The statistics for 1850 are from J. D. B. DeBow, *Statistical View of the United States .... Being a Compendium of the Seventh Census ....* (Washington, D. C., 1854), pp. 116-17.

[2] See Joseph C. G. Kennedy, *Population of the United States in 1860: Compiled from the Original Returns of the Eighth Census, under the Direction of the Secretary of the Interior* (Washington, D. C., 1864), p. 34.

[3] See Francis A. Walker, *A Compendium of the Ninth Census (June 1, 1870) Compiled Pursuant to a Concurrent Resolution of Congress, and under the Direction of the Secretary of the Interior* (Washington, D. C., 1872), pp. 378-82.

APPENDIX B

The Foreign-Born Population of California, Distributed According to Place of Birth

Born in:	*1850*[1]	*1860*[2]	*1870*[3]
Africa	65	12	....
Asia (Not China or Russia)	117	346	....
Atlantic Islands	....	121	....
Australia	....	896	....
Austria	87	....	1,078
Belgium	12	299	291
Bohemia	....	....	90
British America	834	5,437	10,660
Central America	39	100	....
China	660	34,935	48,826
Denmark	92	1,328	1,837
England	3,050	12,227	....
Europe (Not specified)	....	33	....
France	1,546	8,462	8,068
Germany (Not specified)	2,926	21,646	29,701
Great Britain	....	103	78,661*
Greece	9	93	....
Holland	63	439	452
Hungary	....	....	102
Ireland	2,452	33,147	....
Italy	228	2,805	4,660
Luxemburg	....	....	11
Mexico	6,454	9,150	9,339
Norway	124	715	1,000
Pacific Islands	....	196	....
Poland	....	730	804
Portugal	109	1,459	2,508
Prussia	158	....	....
Russia	48	260	540
Sandwich Islands	319	138	....
Sardinia	1	182	....
Scotland	883	3,670	....
South America	887	2,250	....
Spain	220	470	405
Sweden	162	1,405	1,944
Switzerland	177	1,714	2,927
Turkey	....	13	....
Wales	182	1,262	....
West Indies	64	304	395
Other foreign countries	400	181	....
Total foreign-born	22,358	146,528	209,831

*Includes Ireland.

[1] The statistics for 1850 are from DeBow, *op. cit.*, p. 118.

[2] See Kennedy, *op. cit.*, p. 34.

[3] See Walker, *op. cit.*, pp. 392-93.

APPENDIX C

Passenger Arrivals and Departures by Sea
San Francisco, 1849-1870[1]

Year	*Arrivals*	*Departures*	*Year*	*Arrivals*	*Departures*
1849	39,000	No data	1860	30,711	14,576
1850	36,462	26,600	1861	30,820	16,864
1851	27,202	No data	1862	27,861	11,711
1852	64,640	23,196	1863	33,650	17,768
1853	35,396	30,001	1864	31,349	21,576
1854	50,137	23,508	1865	26,000	30,000
1855	31,759	22,898	1866	27,000	23,000
1856	29,630	22,747	1867	35,672	20,469
1857	24,600	16,951	1868	60,000	25,000
1858	40,739	27,994	1869[2]	38,000	14,000
1859	38,183	24,781	1870[3]	20,000	14,000

1. The figure for 1849 is estimated in Bancroft, *op. cit.*, VI, 159. The arrivals for 1850 and 1851 are from the San Francisco *Daily Herald*, Jan. 21, 1854, quoted "from Lecount and Strong's forthcoming directory." The departures for 1850 are given in Henry Sturdivant, "Journal from Dec. 8th, 1849, of a Voyage to California" (MS, Huntington Library), p. 41. For the years 1852 through 1864 the figures are based on records kept at the San Francisco Customhouse and printed in the newspapers of the time, as follows: for 1852, San Francisco *Prices Current and Shipping List*, Dec. 31, 1852; for 1853, *ibid.*, Dec. 30, 1853; for 1854, *ibid.*, Dec. 30, 1854; for 1855, *ibid.*, Jan. 3, 1856; for 1856, *ibid.*, Jan. 3, 1857; for 1857, the San Francisco *Mercantile Gazette and Shipping Register*, Jan. 4, 1858; for 1858, *ibid.*, Jan. 4 ,1859; for 1859, the San Francisco *Mercantile Gazette and Prices Current*, Jan. 4, 1860; for 1860, *ibid.*, Jan. 10, 1861; for 1861, *ibid.*, Jan. 10, 1862; for 1862, *ibid.*, Jan. 9, 1863; for 1863, *ibid.*, Jan. 12, 1864; for 1864, *ibid.*, Jan. 12, 1865. The figures for 1865, 1866, and 1868 are round numbers given in John S. Hittell, *op. cit.*, p. 492. The statistics for 1867 are customhouse figures quoted by J. Ross Browne, *Resources of the Pacific Slope . . . .* (New York, 1869), p. 291.

2. The figures for 1869 are round numbers quoted in Hittell, *op. cit.*, p. 492; after April 1869 they include the passenger statistics of the Central Pacific and Union Pacific railroads.

3. The figures for 1870 are round numbers computed from material given in Hittell, *op. cit.*, pp. 491-92.

APPENDIX D

Estimates of Overland Emigration to California, 1848-1857[1]

1848: 200-350 from the United States, plus 2,000-3,000 from Oregon and 2,000-3,000 from Sonora, Mexico
1849: 42,000
1850: 55,000
1851: 20,000-25,000
1852: 40,000-50,000
1853: 15,000
1854: 16,000-20,000
1855: No data
1856: 8,000
1857: 25,000-30,000 [Probably much too high an estimate]

[1] For 1848, see W. J. Ghent, *The Road to Oregon: a Chronicle of the Great Emigrant Trail* (New York: Longmans, Green & Co., 1929), p. 95; Noel J. Breed, "The Early Development of the Wyoming Country, 1743-1852" (unpublished Ph.D. thesis, University of California, 1927), p. 254, note; San Francisco *Alta California*, Sept. 23, 1848; and Velasco, *op. cit.*, p. 281. For 1849, see Bancroft, *op. cit.*, VI, 159. For 1850, *ibid.*, VII, 696, and Breed, *op. cit.*, p. 254, note. For 1851, see C. W. Haskins, *The Argonauts of California . . . .* (New York, 1890), p. 187. For 1852, see *Alta California*, July 22, 1852; Governor Bigler's estimate in Legislature of California *Journal*, 3rd session, 1852; and Breed, *op. cit.*, p. 254, note. For 1853, see Frank Soulé, John H. Gihon, and James Nisbet, *The Annals of San Francisco . . . .* (New York, 1855), p. 484. For 1854, see San Francisco *Prices Current and Shipping List*, Dec. 30, 1854. For 1856, see San Francisco *Mercantile Gazette and Shipping Register*, Jan. 3, 1857. For 1857, see *Alta California*, Sept. 22, 1857.

Hubert Howe Bancroft says that "after 1855 the [overland] current declined to less than half of that coming by sea." Bancroft, *op. cit.*, VII, 698.

Passenger Arrivals by Sea at San Francisco According to Ports of Origin, 1852-1867[1]

	1852	*1853*	*1854*	*1855*	*1856*	*1857*	*1858*	*1859*	*1860*	*1861*	*1862*	*1863*	*1864*	*1865*	*1866*	*1867*
Panama	21,263	17,014	16,445	15,412	18,090	13,343	20,956	23,567	16,257	17,765	17,328	15,237	20,643	13,150	22,889	20,540
Panama	24,231	15,502	....	15,210	17,233	17,637	24,621	26,907	20,092	19,314	18,303	22,016	23,573	....	....	20,782
San Juan	7,718	10,062	....	11,293	4,148	18	....	....	....	....	....	....	1,016	....	....	6,791
Mexican ports	2,623	562	....	256	231	92	301	276	319	695	546	714	1,456	....	....	593
Peruvian ports	19	5	....	....	9	....	27	....	....	....	....	....	....	....	....	....
Chilean ports	2,306	742	....	44	64	26	65	55	....	....	....	....	....	....	....	....
Australia	670	319	....	223	225	175	370	688	172	508	347	127	364	....	....	1,267
Pacific Islands	507	....	....	....	13	....	....	....	....	....	....	....	....	....	....	....
Sandwich Islands	....	301	....	507	489	318	302	347	331	352	240	215	459	....	....	544
Society Islands	....	12	....	2	....	....	37	....	....	....	....	....	....	....	....	....
Philippine Islands	....	7	....	....	....	....	1	....	....	....	....	....	....	....	....	....
China	20,026	4,270	....	3,329	5,338	5,983	5,286	3,182	7,343	8,434	8,188	6,435	2,696	....	....	4,294*
Japan	....	....	....	....	....	....	68	....	87	39	29	32	57	....	....	....
Russian possessions, N. W. coast	....	....	....	....	47	....	....	....	....	....	....	....	....	....	....	....
Vancouver Island	....	4	....	....	....	....	9,034	5,613	2,099	1,318	....	....	1,575	....	....	1,224
Europe	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	31
Continent of Europe	....	....	....	....	....	237	....	....	125	69	68	54	55	....	....	....
Sweden	....	10	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Holland	27	9	....	....	....	....	....	....	....	....	....	....	....	....	....	....
France	....	1,890	....	209	131	99	....	71	....	....	....	....	....	....	....	....
Germany	....	....	....	223	....	....	....	....	....	....	....	....	....	....	....	....
Hamburg	1,611	....	....	....	195	43	....	....	....	....	....	....	....	....	....	....
Hanse Towns	56	172	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Genoa	58	9	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Great Britain	....	....	....	33	24	....	29	260	12	....	....	....	....	....	....	....
England	161	234	....	76	....	40	....	....	....	12	45	30	24	....	....	....
United States ports	4,092	1,263	....	192	39	38	532	627	44	....	....	....	....	....	....	....
Eastern ports	....	....	....	....	....	....	....	....	....	34	6	9	2	....	....	4
Other ports	....	33	....	95	79	36	10	157	87	46	178	4,018	63	....	....	139

*Includes Japan.

[1] The upper row of statistics for Panama is from Kemble, *op. cit.*, pp. 529-30; for the years 1854, 1865 and 1866 these figures are the only ones available. The other statistics are based on records kept at the San Francisco Customhouse and are taken from the following sources: for 1852, San Francisco *Prices Current and Shipping List*, Dec. 31, 1852; for 1853, *ibid.*, Dec. 30, 1853; for 1855, the figures are compiled from *ibid.*, June 29, Oct. 4, Nov. 3, and Dec. 4, 1855, and Jan. 3, 1856; for 1856, San Francisco *Mercantile Gazette and Shipping Register*, Jan. 3, 1857; for 1857, *ibid.*, Jan. 4, 1858; for 1858, the figures are compiled from *ibid.*, April 3, July 3, Oct. 4, 1858, and Jan. 4, 1859; for 1859, San Francisco *Mercantile Gazette and Prices Current*, Jan. 4, 1860; for 1860, *ibid.*, Jan. 10, 1861; for 1861, *ibid.*, Jan. 10, 1862; for 1862, *ibid.*, Jan. 9, 1863; for 1863, *ibid.*, Jan. 12, 1864; for 1864, *ibid.*, Jan. 12, 1865; and for 1867, Browne, *op. cit.*, p. 291.

Memoirs of Hon. William M. Gwin

Edited by William Henry Ellison

(Concluded)

SINCE THE admission of California into the Union as a state, many of the prominent men of various portions of the United States had been earnest advocates for the construction of a great national highway between the Atlantic and Pacific Coast. After the passage of the Compromise measures in 1850, it was apparent to all that the agitation of the slavery question was but postponed, that it would spring up again and be more formidable than ever. The persons referred to who were national men, who rose above sectional prejudices and sectional fanaticism, believed that the construction of such a great highway as the railroad to the Pacific would form such a cement to the Union that it would be impossible to jeopardize its existence by the extremists in either section of the Union. They were therefore earnest, in season and out of season, in urging this question in Congress. The extremists, north and south, were always the chief obstacle to the passage of the Pacific railroad bill. Another dire set of enemies were the aspirants to the Presidential chair. It has been stated that in 1853 it was defeated by Cass, Douglas and their followers, and in 1855 the bill passed the Senate more in compliment to Mr. Gwin, who was about to leave his seat, than with a real expectation that it would become a law, and he had a proof of it in the second session of the 35th Congress. At the beginning of that Congress, a bill was introduced and referred to the Select Committee, similar in all of its provisions to the bill that passed the Senate in 1855. It was reported back from the committee, and after elaborate discussion, it was defeated by a defection on the part of friends of the Pacific railroad. Mr. Bell of Tennessee, who had been a member of former select committees and of the very committee that reported this bill, offered a substitute, which every senator opposed to a Pacific bill supported. Mr. Bell was a candidate for the Presidency, the contest for which was just approaching. He was one of those who thought that the old Whig party could be resuscitated in the Presidential contest of 1860, and succeeded in being the nominee of that party at that time. Houston of Texas, who had been a standing candidate for the Presidency since Texas was admitted into the Union, never abandoned this hope of being taken up as a compromise candidate. Andrew Johnson, who afterward cut such an important figure in the history of the country, was a standing aspirant, like Houston, for the Presidency. The action of these professed friends of the Pacific railroad and others that could be named was fatal to the passage of the bill during this session.

* * *

Another question of importance to this State which occupied a considerable portion of the time of the second session of the 35th Congress was that of appropriating the public lands for agricultural colleges. A bill to this effect had passed the House of Representatives, and when it came up for the consideration of the Senate, Mr. Gwin offered the following amendment [on February 4, 1859], for the reason that the distribution of land provided for in the bill was very unequal, especially towards California, which had so large an area of public lands within her boundaries, far exceeding any [other] state in the Union.

> That there be granted to the several states and territories, for the purpose hereinafter mentioned, five million nine hundred and twenty thousand acres of land, to be apportioned in the compound ratio of the geographical area and representation of said states and territories in the Senate and House of Representatives of the Congress of the United States [after the apportionment under the census of 1860—Ed.]: *Provided*, That said apportionment shall be made after first allotting to each state and territory fifty thousand acres; *And Provided further*, That the State of California may locate her portion of the said lands upon any of the unappropriated lands in that State other than mineral lands, and not then occupied by actual settlers.

Mr. Gwin said:

> My reason for offering this proposition is, that a state with a large area like California, I think, ought to have more land than the State of Rhode Island; but under the bill as it now stands, until the new apportionment, they will get the same. I am very clearly of opinion that there ought to be some equalizing of the benefits of this bill according to the extent of country to which its benefits are to be extended. We have one hundred and twenty million acres of land in our State, and not a county in the State that is not larger than Rhode Island, and I think there ought to be some equality in the distribution.

Mr. Iverson, Mr. [Clement C.] Clay, and others called for the yeas and nays on the amendment, and they were ordered; and being taken, resulted—yeas 25, nays 28; as follows:

YEAS—Messrs. Benjamin, Broderick, [Albert G.] Brown, [James] Chesnut [Jr.], Clay, [Thomas L.] Clingman, Davis, [Benjamin] Fitzpatrick, [James S.] Green, Gwin, [James H.] Hammond, Houston, Hunter, Iverson, [Andrew] Johnson of Tennessee, Mallory, Mason, [Trusten] Polk, [David S.] Reid, [Henry M.] Rice, Sebastian, Shields, [John] Slidell, [Matthias] Ward, and [David L.] Yulee—25.

NAYS—Messrs. [Philip] Allen, [James A.] Bayard, Bell, [William] Bigler, [Simon] Cameron, [Zachariah] Chandler, [Daniel] Clark, [Jacob] Collamer, [John J.] Crittenden, [James] Dixon, [James R.] Doolittle, [Charles] Durkee, [William Pitt] Fessenden, Foot, [John P.] Hale, Hamlin, [James] Harlan, [Preston] King, Seward, [James F.] Simmons, [Charles E.] Stuart, [John B.] Thompson of Kentucky, [John R.] Thomson of New Jersey, [Robert] Toombs, [Lyman] Trumbull, [Benjamin F.] Wade, [Henry] Wilson, and [William] Wright—28.

So the amendment was rejected.[89]

The rejection of this amendment of Mr. Gwin was so obviously unjust to his State that in his subsequent votes he was disposed to oppose the passage of the bill, and by his vote in fact he destroyed the bill by having it recommitted to the committee on Public Lands. On reflection, he moved to reconsider that vote and brought the case before the Senate again, and [on February 7, 1859] gave his reasons for sustaining the bill, as may be seen from the following remarks:

> Mr. President, I am not able to come to the same conclusion with the Senator from Alabama, in regard to the constitutional power of Congress to pass this bill. If I agreed with him on that point, I would certainly not vote for it under any circumstances whatever; and I should not vote for the bill anyhow, if I were not directly instructed by the legislature of California to do so, because I think it is not just to California. I think the proposed distribution of these lands is not just to the new states, and especially to that State; and therefore I would not vote for the bill for that reason, but for the instructions of the legislature of my State. Donations of land have been made to all the new states for seminaries of learning. They were made to the State of California; two townships were donated to her. Alabama and Mississippi and all the new states have had donations of land for seminaries of learning, and I can see no difference between that and this case. In addition to that, in the State of California the five hundred thousand acres of land, which, by the act of 1841, were granted to each of the new states for purposes of internal improvements, have been, by the constitution of the State, diverted to school purposes. I cannot agree with the Senator as to the constitutional prohibition to pass this bill, or I should vote against it. Similar grants to those of which I have spoken were made to my own native State in 1806, in Mr. Jefferson's time. So it has been throughout. In the State of California, we had two sections to the township donated to school purposes in the act of admission; and so, to all the new states, there have been numerous donations of land. If the amendment which I proposed the other day had been incorporated in this bill, I should vote for the bill, with or without instructions; but I am instructed, directly, to vote for this bill as it came from the House, by the legislature of California, and I shall vote for it. As it is amended, it is a better bill than it was when it came from the House. I asked the Secretary to read the instructions as the reason which will influence me to vote for the bill, though it is not as favorable to the State of California as I think it ought to be.

The Secretary read the following resolutions of the legislature of California:

> *Concurrent resolutions relative to a college. Whereas,* The Hon. Justin S. Morrill, of Vermont, has introduced into the House of Representatives of the United States a bill for the endowment and maintenance of a college in each state and territory, by donating to each state and territory a portion of the public lands; which college is to be dedicated and devoted to such instructions in such branches of education as pertain to agriculture, mechanical arts, and natural history; therefore
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> *Be it resolved by the Senate* (the Assembly concurring), That our Senators be instructed, and our Representatives in Congress requested, to use all honorable exertion necessary to the passing of the aforementioned bill into a law.

And be it further resolved, That His Excellency the Governor be requested to forward to each of our Senators and Representatives a copy of these resolutions.

William E. Whiteside
Speaker of the Assembly
James Walkup
President of the Senate

Office of Secretary of State
Sacramento, California, *April 16, 1858*

I, Ferris Forman, Secretary of State of the State of California, do hereby certify that the annexed is a true and correct copy of concurrent resolutions relative to a college, now on file in my office.

Witness my hand and the great seal of State at office in Sacramento, California, the 16th day of April, A.D. 1858.
[L.S.]

Ferris Forman
Secretary of State

Mr. Gwin said, "The bill named in these instructions is the identical bill which came to us from the House. It has been amended and made more favorable to California than it was in its original form; for it gives a prospective advantage to that State. For these reasons I shall vote for the bill."[90]

* * *

At the close of the second session of the 35th Congress, the members for California returned home, and very soon thereafter the political canvass opened which created such great excitement throughout the State. Mr. Broderick took the stump to defend the policy which he had advocated in the Senate, which brought his colleagues also on the stump, to defend their views and actions. The squatter sovereignty of Mr. Douglas was always opposed by Mr. Gwin in the Senate and before the people, and that year, 1859, he canvassed the State thoroughly, giving his reasons for his course in Congress. The Democratic party nominated a full ticket, Latham being their candidate for governor; the Republican [party] nominated a full ticket, and Mr. Broderick brought a ticket of his own into the field. In the Democratic State Convention, which nominated candidates for state officers, Chief Justice [David S.] Terry made some remarks that were offensive to Mr. Broderick, which remarks were severely criticized by him in a controversy which occurred between Mr. Broderick and Mr. [Duncan W.] Perlee, and which remarks were the occasion of the subsequent duel between Mr. Broderick and Chief Justice Terry, which resulted in the death of the former. In the excited state of the public mind which ensued at that time, the name of Mr. Gwin was connected with this unfortunate conflict, for which he was in no way responsible.[91] Not a word ever passed between him and Judge Terry on the subject, and no one was more taken by surprise than was Mr. Gwin at the announcement of the challenge sent by Judge Terry, and its acceptance by Mr. Broderick. Intervening years have softened the bitterness between Mr. Gwin and Mr. Broderick's friends, and it is now admitted by all parties that he was in no wise responsible for the meeting that took place between Judge Terry and Mr. Broderick, resulting in the death of the latter.

The 36th Congress, the last one that ever convened before the breaking out of the Civil War, was opened on Monday, the 5th day of December 1859. Never had sectional feeling run so high in the United States as it did at this period. John Brown had, during the recess, made an incursion into the State of Virginia, had attacked Harper's Ferry and killed several persons in his assault upon that place, but had been captured and [was] afterward tried and executed under the laws of Virginia. This caused intense excitement throughout the country, and when Congress met, the very first business that came before the Senate, after [the] calling [of] the roll of names of senators from the several states and the presentation of credentials, was a resolution introduced by Mr. Mason, to inquire into the facts attending the late invasion and [the] seizure of the armory and arsenal of the United States at Harper's Ferry, Virginia. A prolonged debate followed the introduction of this resolution, and Mr. Gwin, on the 13th of December, made an elaborate speech, from which the following is an extract:

> Mr. President, it was not my purpose to address the Senate on this question at all, but the speech of the Senator from Alabama strikes me as a warning, such as has never been given in the Senate of the United States before. I believe that that senator has expressed the opinion of a vast majority of the people of the slaveholding states of this confederacy. I believe he has stated here today what will inevitably be the action of those states in the event of the election of a Republican candidate to the office of President of the United States. Entertaining this opinion, I should be faithless to the trust that has been reposed in me, as a representative of one of the sovereign states of the confederation, whose people are unanimously in favor of this Union and its preservation, if I did not add my voice of warning at this particular juncture, which is fraught, in my judgment, with extreme peril.
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> Mr. President, there is a great mistake existing in the non-slaveholding states of the confederacy in regard to the public sentiment of the South. They seem to entertain the delusion that there is no serious idea in the Southern states to separate from the non-slaveholding states in the event of the election of a Republican candidate for the Presidency. I believe, not only that such is the sentiment and determination of a vast majority of the inhabitants of the slaveholding states now, but that it will be nearly a unanimous sentiment in the event of such an election, and that it will then be carried into practice. It is a matter of great importance at this period, especially when this subject is being discussed with the gravity with which it has been discussed since the Senate opened its present session, that the inhabitants of the non-slaveholding states should no longer labor under the delusion that the South will not act.
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> Then why is it necessary to introduce this agitation of slavery in the territories, and the past conflict in Kansas? What can be the object of the Senator from Illinois, unless it be to embarrass the investigation properly sought by the Senator from Virginia? I hope that senator's amendment will be voted down, and that we shall have this investigation. I believe that the result of it will prove that there has been complicity, not of the distinguished leaders of their party, but of a numerous class who belong to that party, who are stimulated by the spirit that was justly described by the Senator from Alabama

this morning, of hatred to the institutions of the South; and it will go on if they meet with success; and leaders, more moderate than they, will be set aside if they do not come up to their views in carrying on this war against the institutions of the South.

Mr. President, I want this Union to be preserved and to be made perpetual, and in order that it may be perpetual it is necessary that the senators on the other side when appealed to, as they have been this morning, should at least give a gleam of hope to the Southern states that the policy of their incoming administration, if they should succeed in electing a President, will be different from what the local policy of their states has heretofore been with reference to the institution of slavery. If not, as I stated before, I believe a separation will be inevitable.

The Senator from Illinois, the other day, asked why the South looked upon the people of the non-slaveholding states as their enemies, who wished to put the knife to the throats of their wives and children? It is because they believe the doctrines that are taught by his party lead inevitably to that result. Whether they are right or wrong, they believe it: that is the sentiment of the people of the Southern states, and I believe that they intend to resist the acquisition of power in this confederacy by his party, because they think that the election and installation of a Republican President would be their conquest. If such a President could not have collectors of customs at Charleston, Mobile, and New Orleans, and other ports, he would send his revenue cutters there with his collectors on board, to collect the revenues, and they would be in a degree blockaded. Thus the South would be blockaded; and ultimately, probably, almost without the means of defense, they would be forced into a war of bloody results; whereas, if they were to take possession of all the Government establishments that are within the Southern borders, as in my judgment they will, in the event of the election of a Republican President, before his installation, they believe that they are powerful enough to resist any attempt to infringe on the new order of government which they will have established. By waiting, they put themselves in the power of the Federal Government; but by preparing for the event in advance, they put it out of the power of any government on the face of the earth to inflict on them what they conceive to be a serious or fatal injury. This being the opinion of a vast majority of the people of the Southern states of the confederacy, I say, in the event of the success of a Republican candidate for the Presidency, the Southern states, in my judgment, will pursue the course that has been shadowed out by the Senator from Alabama today.

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Mr. President, in the few remarks which I submitted, I did not intend to say anything against the Republican party, but I desired to call the attention of that party to the remarks of the Senator from Alabama, and I observed that that senator had spoken his true sentiments and the sentiments of those whom he represents. They believe that the principles of the Republican party are destructive to the constitutional rights of the slaveholding states, that they can only preserve those rights by resisting the principles of that party; and if a President of that party were to be elected and installed, it would be destructive to their constitutional rights. I stated that he spoke the sentiments of his people, and that the South would act on his convictions, and break up this Government, in such an event. That was all I said: it was no threat.

Let me call the attention of the Senator from New Hampshire to the vote in the last Presidential election; and how significant it was. I do not now recollect what was the popular vote of the slaveholding states; but we will assume that it was five hundred thousand. How many of those votes were cast for the Republican candidate for the Presidency? In but few of those states was there any Republican electoral ticket—I do not believe in more than one or two—and in a large majority of those states, there were not men enough who would avow the principles of that party, or [who] would dare avow them, to be electors. It was a purely sectional contest on their part, while on the other hand the Democratic candidate, who received the electoral vote of every slave-holding state, with one exception, received the vote of one million two hundred thousand freemen in the free states of this confederacy. Sir, nothing is more significant than the result of the last Presidential election; and the result of the state elections which have since taken place. They all show that the Republican party is a sectional party, that it has no existence in the Southern states, and never can have any existence there, and that the success of a Republican candidate for the Presidency is to be achieved exclusively by the non-slaveholding states, and by the majority they have in the electoral college; and that the people of the South, regarding the principles of that party as destructive of their constitutional rights, will act on their convictions in the event of the success of a Republican presidential candidate, and the result will be the destruction of our present form of government. That was all the statement I made. I appealed to the fears of nobody, of no section, of no party; that was not my object; but I did appeal to the judgment of those who entertain certain principles, whether it was best for them to persevere in those principles when they saw that the effect of their triumph must be the destruction of the Government. Now, I do not profess to be braver than anybody else; I certainly am not brave enough to adopt and carry out any line of policy that would jeopardize [the existence of] this glorious confederacy, and I have in a small way attested it.

In 1850, when I came here as one of the senators selected by the people of California to present their constitution for admission as one of the sovereign states of this confederacy, the delegation called on various gentlemen of distinguished position in the Senate and House of Representatives; and, among others, on the then illustrious Senator from Kentucky (Mr. Clay), and we requested him, and those other gentlemen whom I shall not name—because it was on his advice that we called on them—to favor the immediate admission of the State of California into the confederacy. We were without any government. California had first been conquered, and then purchased from Mexico; and the United States had not even given us a territorial government. We had not a solitary civil officer of this Government within the borders of California. We were living under a purely military government, at the head of which was a colonel in the Army of the United States, who assumed and exercised all authority over that vast extent of country. We had no government of our own, except such as we were compelled to form; and, in this state of things, we adopted a State constitution, and under it we presented ourselves here as representatives of the State; and we wanted immediate admission. Mr. Clay, with others, expressed his desire that the State should be instantly admitted, and said he would exert himself for its instant admission. After this statement by him and others, I went away; I thought I had nothing further to do; I had performed my duty by presenting the matter to those who had the power. The President of the United States said the same thing; he declared that he would send in the Constitution, and urge the immediate admission of the State. Thus, having no doubt of the immediate admission of California, I left this city temporarily. While I was away in New York, I found that the Senator from Kentucky had changed his position, and had gone against the immediate admission of California. I came to Washington and had an interview with him; and he told me that a number of members of the lower house of Congress, and among them, I believe, I see now before me a senator of this body who was one of the spokesmen, had called upon him and had pledged their honor to him that they would never permit California to be admitted as a member of the confederacy until the question of slavery in the territories was settled; that there was a sufficient number who were determined, by resorting to the rules of the House, to prevent the passage of a bill admitting California as a state, and that they intended to prosecute their determination even to the destruction of the Government. Mr. Clay said he was thoroughly convinced of the truth of their assertion, and hence he had determined not to press the separate admission of California into the Union.

I acquiesced in that view of the Senator from Kentucky. I did not want the admission of California to cause the destruction of the Union itself, and hence I was willing to have her just rights delayed; the privileges to which she was entitled, as a portion of the confederacy, overlooked for a time, rather than that her admission should result in the destruction of the very confederacy of which she sought to be a member. I was not, like the Senator from New Hampshire, brave enough to jeopardize the existence of the Government in order to accomplish an object which I knew to be right and proper, and that was the immediate admission of California as a sovereign state. I was willing to bide my time rather than to bring this injury and danger upon the country.

Further, sir, at a later period of that contest, which is familiar to many in this chamber, who were then participants in it, it is well known that the conflict became more fierce, and I was called on by the President of the United States in order to make a demonstration which he suggested, to separate these questions, one from the other, to join my colleagues—the other Senator and the two Representatives from California—in signing a memorial and protest against connecting the admission of California with the other compromise measures; and he pledged himself that if I would join my colleagues in sending that protest to the two Houses of Congress, California would be admitted in a week, and I would be in my seat in the Senate. I told him of the interview I had had with the Senator from Kentucky, and said that as far as I was concerned, I would not force the question when I believed, as I then did, convinced by the experience of those older than myself, that it would jeopardize the confederacy. I was not brave enough to seek to accomplish what I knew was immediately just and right to the state which I represented, and to press it so as to jeopardize the existence of the Union, and that is what I have indicated here today. I have submitted to the judgment of those who represent the Republican party, even if they think it is right, whether it is proper to press the success of a political party in this country to the point of destroying the Government. That was my suggestion. I said that I made the suggestion because I represented a constituency in favor of the preservation of the Union, although they are very remote from the seat of your Government. We revere this Union, we honor it, and we desire to preserve it. My only object in the remarks which I made was to present to the country the idea that there is danger, and to submit whether it is not best to pause before parties get so much excited that it will be impossible to prevent a collision.[92]

It will be perceived from these extracts that Mr. Gwin stated to the Senate what has been heretofore referred to as having occurred in his interviews with Mr. Clay and President Taylor in 1850. His remarks on this subject are here reproduced as evidence of his great desire to overcome the sectional prejudices in the North and South, not only at the time of the admission of California to the Union, but on the occasions of all subsequent controversies and difficulties between the extremists of the North and South.

The position that Judge Douglas occupied at the beginning of the 36th Congress, and which he had avowed so frequently during the previous Congress, especially toward its close, was the cause of his being removed from his position of chairman of the Committee on Territories in the Senate. Mr. Gwin, as chairman of the sub-committee of Democratic senators who had reported to the Democratic caucus the persons whom they recommended as chairmen and members of various committees, and which recommendations were adopted by the caucus and subsequently by the Senate, was the objective point of attack by Judge Douglas in some remarks which were made by him after the adjournment of the 35th Congress, and quite a controversy sprang up in the newspapers between the two senators before Congress met. When Congress did assemble, this controversy was revived by Mr. [George E.] Pugh from Ohio, and an exciting discussion was the result, in which various senators participated. Mr. Pugh attempted to convict Mr. Gwin of inconsistency, and the end of the debate is here inserted, as follows:

Mr. Gwin. Now, sir, I think I have answered with regard to the Resolutions of California, and my own intentions when I voted for the Kansas-Nebraska bill. My object, and the object of the Democracy of California, has been to take the question of slavery in the territories out of Congress, for the reason that we regard it as a mere judicial question. That is what we have always contended for in the resolutions of our legislature and in the resolutions of our conventions. A portion of the Democratic party, who maintain the principles that have been advocated by those who act with the Senator—but it seems he does not quite come up to them—adopted a resolution, which I have also read, declaring that the power of a territorial legislature is absolute and complete. That is what we are contending against.

Mr. Pugh. I do not know what you are contending about in California, but I have never heard that doctrine avowed in Congress by a single man. I have never heard a senator or representative of any party assert that doctrine. The nearest approach to it that I ever did hear was the doctrine sometimes taught by the present secretary of state. Certainly he went far beyond anybody else that I ever heard speak in Congress on the subject.

Mr. Gwin. I have read the resolution to which I referred from the platform of those who call themselves the National Democracy of California—the squatter sovereignty Democracy.

Mr. Pugh. Then I do not see what we have to do with those gentlemen at all; I never saw their platform. I do not know what they proposed, otherwise than as the Senator has read it to me; and I certainly never sympathized with them.

Mr. Gwin. One thing is pretty certain—the Senator commented pretty freely this morning on the speech in which I riddled that platform.

Mr. Pugh. I did not object to your riddling that platform; but I objected that if you had truly stated what was the purpose of senators in a particular case, then the act here done was entirely wrong and unjustifiable.

Mr. Gwin. The Senator might have permitted that question to be settled when all the parties were present, if it is to be discussed in the Senate. The Senator charges that it was not a manly act to turn out the Senator from Illinois from his position as chairman of the Territorial Committee. On that point we are willing to meet him in a manly manner, at any time, in any way. It was the duty of the Senator from Illinois to be here when the Senate was organized; and, if he was absent, that was his fault, and not the fault of those who were called on to form the committees. I contend, that when he had avowed doctrines on the subject of the power of a territorial legislature that were in direct conflict with the opinions of a majority of the Democratic senators, who are a majority of this body, and who are held responsible for its organization, it was their duty to continue him no longer as their organ in that committee; and when he [had] avowed those doctrines in the recess of the Senate, between the former formation of those committees and the time we were then called upon to form them, it was proper for us to take notice of his action. I say that the opinions he expressed on that question were not those of the Democratic party; and if they were, he was entitled to be retained as chairman of that committee. Whether I am right or wrong, we are both entitled to our opinions. I have expressed myself on all occasions that, if the Senator from Illinois had been the chairman of any other committee, I would not have disturbed him for his opinions on this question. I believe it was right to displace him, as chairman of the Territorial Committee, after he had announced those opinions, which were new, at least, to some of us; they were to me. I refer especially to his doctrine that a territorial legislature could lawfully, by non-action or unfriendly legislation, prohibit slavery, and that such was the true interpretation of the Kansas-Nebraska bill.

The Senator from Ohio has stated that this doctrine of non-action and hostile legislation is the doctrine of nine-tenths of the Democracy of the non-slaveholding states. He may speak for his own state; but I represent a non-slaveholding state, and I say that such is not the doctrine of the Democracy of California. We have tried the question before the people, and those who maintained that doctrine have been condemned by an overwhelming majority. We went before the people on that very question in California, and we triumphed. I speak for one of the non-slaveholding states; and I say that not only is it not the doctrine of the Democracy of that non-slaveholding state, but, in my judgment, there are many other non-slaveholding states that the senator does not properly represent when he says that such is the doctrine of the Northern Democracy. I speak for my own state, and I deny, *in toto*, that the Democracy of California entertain any such opinions. We went before the people on that very question; and it was decided, after one of the most exciting contests ever known in any country, directly in the teeth of the position of the Senator. I maintained then, and I maintain now, that that doctrine is dangerous to the integrity of the Democratic party, because it takes from the judicial tribunals of the country the settlement of a question that ought to be left there.

Mr. Pugh. As the Senator is rather attempting to make an issue of fact, not so much by contradicting anything I said as by saying that I asserted something and then contradicted it, I will ask a question. Do I understand the Senator from California to say that the portion of the party with which he acted, and which I always supposed was the regular organization, disclaimed and put outside of the party those who believed in the doctrine of Judge Douglas's Freeport speech—that they put them outside of the organization, and treated them as men not Democrats and not sound?

Mr. Gwin. I undertake to say this, that the friends of Judge Douglas in California had a convention and nominated a ticket, and that the regular Democratic party had a convention and nominated a ticket, and we beat their ticket very largely. That is what I said, and that is the issue. I have just read the resolutions adopted in the convention of what was called the popular sovereignty party.

Mr. Pugh. Perhaps I can refresh the Senator's recollection. My attention was called to it by the tragedy which followed. In the State Convention, the very speech made by Judge Terry, which led to the tragedy in California, was made to show a distinction between the position of Judge Douglas and the position of the Senator's late colleague. He said that the persons who agreed with Judge Douglas in opinion on that question were a part of the regular Democratic party in every state, and hundreds of them in the State of California; and that the objection made to Mr. Broderick was simply that he had left the organization and acted with the Republicans. That is my recollection of Judge Terry's speech.

Mr. Gwin. The point was this: that Judge Douglas maintained the Democratic organization in his state, and stood by it whether he was in a minority or a majority, while the other, when he could not command a majority of the party, went out of it. It was said that Judge Douglas and those who acted in his name in California differed; that he had a majority in his state, but those who pretended to represent his views in California, being in a minority, bolted and ran a different ticket, and therefore were not properly considered in the same position, for he did maintain his allegiance to the regular organization in Illinois. It was not intended in the removal of Judge Douglas from the position of chairman of the Territorial Committee, to disturb his relations as a member of the Democratic party. It was only intended that he should not be the organ of the Democratic party in the Senate with these particular views of his on the territorial power—views, I believe, which are entertained only by the Senator from Illinois and the Senator from Ohio, of this whole body, at this very juncture.

Mr. Pugh. Some of them have progressed, and changed their opinions very lately.

Mr. Gwin. I have asserted, in all kindness, that the Senator from Ohio and the Senator from Illinois are the only two senators who entertain those opinions. If I am mistaken, they can correct me.

Mr. Pugh. I do not presume to speak of others; but I say, I have looked at the record, and I think that the Senator from California will find, if he makes that assertion, that he will have as much trouble in explaining his record as he had in explaining the California platform.

Mr. Gwin. I have not had the slightest trouble at all; and the Senator cannot trouble me in regard to the record in California, for it is a very straight one, and we have verified our record at the polls. I am sorry the Senator did not do the same in his own state. We have met the enemy and conquered them. That is the way to make a record. But, Mr. President, so far as I am concerned, this question is one that I never intended to make a matter of discussion. During the discussion of the Kansas-Nebraska bill, I never said a word. I never said a word during the last session when the subject was discussed, except when I knew I had to make an issue at home on the question; and then I said but a few words, occupying a few minutes. I stood by them, and fought for them, and fought successfully—and why? It is because the question of slavery is a great distance removed from the state which I have the honor, in part, to represent. There is not a slave within two thousand miles of us; and we do not wish to touch this question, at least such has been my action, unless it is to maintain the constitutional rights of every section of the confederacy. We do not desire to mingle this exciting question of slavery with any of the issues we have on that coast, if it can be avoided.

I have never gone further than to make this statement: that, in my judgment, the question ought to be left to the judicial tribunals of the country, and, as much as possible, taken out of the political arena, not only in Congress, but throughout the country. It is well known that, until within the last twelve months, no man in this country, who has been in public position, has had less to do with this question than myself. I never spoke on it at all in the Senate, and never intended to do so, until an issue was presented in this body between the senators from my state, and we had to go before the people. I never intended to allude to the subject in the Senate again, under any circumstances at all; and I should not have done so today if the Senator had not directly brought up my remarks and my state. If the Senator had included all that I said at Grass Valley, I would not have said a word. I think that is a pretty good answer to all his speech that refers to my connection with the matter; and I want it to be understood now, that I do not intend to speak on this question unless I am forced to do so. I maintain that the only position that was ever taken by the California Democracy was, that this was a judicial question, entirely to be removed from the Halls of Congress; and whenever the question was brought before the judicial tribunals, the power should be given to carry their decision into full effect.

Mr. Pugh. Did not the Senator understand the Senator from Illinois to maintain that doctrine here in debate?

Mr. Gwin. No, sir, I did not; I understood him to state that now the power existed, and could lawfully be exercised by the territorial legislature, and was conferred by the Kansas-Nebraska bill, to exclude slavery by non-action and unfriendly legislation.

> Mr. Pugh. I appeal to all Senators and the record, that that was the proposition of the Senator from Illinois, and the very proposition of which the Senator from California said, if that was the meaning of the Kansas-Nebraska bill, he would not have voted for it.
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> Mr. Gwin. What was the proposition?
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> Mr. Pugh. The Senator from Illinois asserted over and over again—more than twenty times—in that debate, in February last, that he understood that question to be a judicial question, to be determined by the judiciary, and that Congress was not to interfere with it. That was his construction of the Kansas-Nebraska act, as avowed in that debate. When the Senator from California rose, after the Senator from Illinois had finished his remarks, and said that if that was the construction of the bill he never would have voted for it, I confess I was astonished. Now, it turns out that the very construction which the Senator denounced when it came from the lips of the Senator from Illinois, he now affirms himself.
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> Mr. Gwin. The Senator is a very good tactician, and very skillful at the bar, no doubt, in replying backwards and forwards on legal questions. I do not pretend to any such skill; but I say this: that the position which the Senator from Illinois took was that the Kansas-Nebraska bill conferred a legal power upon a territorial legislature to exclude slavery by non-action or hostile legislation.
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> Mr. Pugh. That was his private opinion.
>
> Mr. Gwin. Private—ah, very private, indeed, when he stated that he had avowed that doctrine in one hundred and twenty speeches, and that he was elected to the Senate upon it, and that that was the interpretation he put upon the Kansas-Nebraska bill! I said that if he had avowed that interpretation of the bill at the time it was under discussion, I never should have voted for it. Now the Senator says, I have merely agreed to everything the Senator from Illinois says. Have I ever agreed to that interpretation of the bill? I stated then that if he had explained to the Senate that he meant by the bill what he said at Freeport, I never should have voted for the bill. That is what I stated, and I repeat it now.[98]

During this exciting session of Congress, many personal controversies occurred between senators in the discussion of this absorbing question. Senators were misrepresented, not only on the floor of the Senate, but in the newspapers, and Mr. Gwin could not escape such misrepresentation. One was brought before the Senate by Mr. Gwin's colleague, Mr. Latham, who had succeeded Mr. Broderick in the Senate, while the discussion of the territorial question was going on, and the following colloquy took place between the senators:

> Mr. Latham. When my colleague, as it is said, stated upon this floor "that, in case of a dissolution of the Union, California would unite herself to the South," he committed a great error.
>
> Mr. Gwin. If my colleague will give me an opportunity, I will state that I never said so here or elsewhere. I have never made that statement on any occasion. It was so utterly destitute of truth that I did not think it of sufficient importance to correct, unless some allusion was made to the subject in the Senate; and I am obliged to my colleague for referring to it, and giving me the opportunity of contradicting it. I hope, Mr. President, that this Union will be imperishable; but if it is ever broken up, the eastern boundary of the Pacific Republic will be, in my opinion, the Sierra Madra [sic] and the Rocky Mountains.

> Mr. Latham. Mr. President, I am glad that I have given my colleague an opportunity of correcting this erroneous impression; for he knows as well as I do that we have resources not possessed by any other state of the Union, while our population comprises the most enterprising and energetic men of the country. Why should we trust to the management of others what we are abundantly able to do ourselves? Why depend on the South or the North to regulate our affairs? And this, too, *after* the North and the South have proved themselves incapable of living in harmony with one another?[94]

Mr. Gwin was an earnest advocate for carrying the mails to the Pacific Coast by overland routes.[95] His policy was, by establishing these routes, to ensure settlements in the vast unoccupied regions between the Mississippi River and the Pacific Coast, and pave the way for the development of the country. One of the great obstacles to carrying the mails by the overland routes was the vast amount of matter that was to be carried free, under the franking privilege. It was found impossible to perfect the system of carrying the mails by land, unless the franking privilege was abolished. The expense to the Government of carrying these mails was very great for this route, six hundred thousand dollars a year, and Mr. Gwin proposed, by abolishing the franking privilege, to terminate the contract with the Pacific Mail Steamship Company, and have all the mails carried by land. To accomplish this, the Committee on Post Offices and Post Roads, of which Mr. Gwin was a member, instructed him to report a bill abolishing the franking privilege, which he did on the 8th of February, accompanied with the following remarks:[96]

> The Committee on the Post Office and Post Roads, to whom was referred the bill (S. No. 35) to abolish the franking privilege, have instructed me to report a substitute for the bill. I desire to have the substitute read, and I call the attention of the Senate to it.

The Secretary read the substitute, to strike out all after the enacting clause, and insert:

> "That all laws by which any person or persons are authorized to send or receive any mailable matter free of postage be, and the same are hereby, repealed: *Provided*, That this act shall not apply to any person or persons to whom the franking privilege may have been granted by name."
>
> Mr. Gwin. I give notice that, if the franking privilege is not repealed in the bill now under consideration[97]—the Post Office Appropriation bill—I shall immediately call up this bill for consideration.[98]

On the 15th of February, Mr. Gwin called up this bill, and it was elaborately discussed and received almost the unanimous vote of the Senate, only two senators voting against it. The subject of the overland mail was thoroughly discussed during this session. The Butterfield route, as it was called, passing from St. Louis, through Texas, to San Francisco, had been in operation [for] some time, and had been suspended by the postmaster general. That brought the subject before Congress in the form of a proposal to substitute for that route the one by Salt Lake. This was fully discussed for many days in the Senate, and passed that body on the 25th day of June 1860.[99]

This is the foundation of what was known as the Holladay route, and continued in existence until superseded by the Pacific Railroad.

Mention has been made heretofore of the Limantour claim and others, proved afterwards to have been forgeries, covering the most valuable property of the State, including a large portion of the city of San Francisco. The result of the Limantour claim has been already stated, but some of the others, declared by the courts to be fraudulent and covering large portions of San Francisco and the adjacent fortifications, were not got clear of as easily as that of Limantour. Foiled in the courts, they were brought before Congress, and a powerful lobby was formed in Washington for the purpose of securing legislative confirmation of these claims. The Government was constantly annoyed on the Pacific Coast, as well as in other portions of the United States, in securing sites for fortifications, navy yards, lighthouses, and other public works, by the extortionate demands of owners of the property that was required for Government uses. Every important site in California was covered by a private claim—Fort Point, Alcatraz, Goat Island, Angel Island, Mare Island, etc. Mr. Gwin at first thought it was better to settle these claims, without inquiring into their validity, in order to proceed with the public works that were so much in demand on the Pacific Coast. It was by his advice and counsel that the sum of fifty thousand dollars was paid to claimants to Mare Island, in order that the work on the Navy Yard should be promptly commenced. But it was soon perceived that there would be no limit to these demands. There was in every case more than one claimant, and even to this day new claimants to Mare Island turn up, although every conceivable claim was removed by purchase more than a quarter of a century ago. It therefore became necessary to protect the Government against these claims, whether fraudulent, or whether the title to the property was undisputed, by passing a law to take private property for public uses. But this law did not suit the parties who had claims that were rejected by the courts, and they appealed to Congress, and on the 17th day of May[100] a bill was introduced in the Senate to confirm one of these grants, the Bonita Diaz claim, under the pretense of quieting the title to the land upon which Fort Point was built. Mr. Gwin, when it was moved to refer this bill to the Military Committee, opposed the reference, and for the following reasons:

> If the object of the Senator from Oregon in introducing this bill is to facilitate the making of appropriations for completing the fortifications at Fort Point, it should go to the Committee on Finance, for that is the committee that reports the appropriations. The question is one of very grave importance to the people of California, and this is the first time that a private land claim in that state has been brought up in this body for confirmation or for action. That question has heretofore been left to the courts. The claim, which includes the valuable property at Fort Point, also includes other property worth millions upon millions of dollars. It is one of the most gigantic claims that was ever presented to the Congress of the United States for its consideration, including a

large portion of the city of San Francisco. I do not think this question ought to be considered by Congress; it ought to be considered in the courts; but if it is to be brought here for consideration, and as the bill has reference to perfecting the title to the land on which the fortifications are being erected, and proposes to make further appropriations for that purpose, it should go to the Finance Committee, from which all the appropriations come.

I will give another reason: this question is of great importance to my constituents, and it has been presented here very much against my judgment. I desire to treat the parties to this claim with all propriety; but I think justice to my constituents requires that a bill of this sort should go to a committee where the State of California has a representative. The Committee on Finance has able attorneys upon it; it reports these appropriations; it will examine the question with all fidelity; and therefore I move that the bill be referred to that committee, instead of the Committee on Military Affairs; and I hope the Senator from Oregon will not object to this.

. . . . . .

In regard to the estimates for appropriations for fortifications, I have no doubt they are before the Committee on Military Affairs; but they are before the Committee on Finance also, where the bill is. The military appropriation bill is now before that committee. We are considering this as well as all the other estimates for works of this character. I made my original motion merely as bearing upon that made by the Senator from Oregon [Joseph Lane]. If it was a mere financial question whether we should investigate this subject with reference to an appropriation, I thought it ought to go to the Finance Committee; but the true destination of this bill is the Committee on the Judiciary, for it is a great judicial question. If it were, as has been stated by the Senator from Oregon, to get a quit claim from these claimants to the site of Fort Point, that would be a very different question; but there is a great deal more than that in the bill. It involves the title to property outside of Fort Point, worth millions upon millions of dollars. It is purely a judicial question, and is now pending in the Supreme Court of the United States, and could have been tried, and should have been tried, in the beginning of this term. The people of California look with deep interest to any legislation that affects the right of property in that state in these land claims. There is no more appropriate committee to consider such a question than the Committee on the Judiciary. If the attorney general is to be consulted, let that committee consult him. It is a question in which great legal points are to be settled. I can assure the Senator that, so far as California is concerned, I would as soon trust the general interests of that state to him as to any member on this floor; but, in local questions of this character, he cannot understand the bearing they will have upon the localities in which these claims are situated. Why, Mr. President, the idea of confirming these claims by the action of Congress would be received with appalling effect in California. I want it thoroughly scrutinized, and the Judiciary Committee is the one to scrutinize it, or to propose any bill on the subject of land claims. I should certainly be entirely opposed, however, to any such bill.

But the measure to which the Senator from Vermont alluded is the proper one. Let us perfect our title in this and all other cases, under that bill which I examined with some care, and which was drawn up with great ability, two years ago. We have a site on this very land for lighthouses; but several appropriations have reverted into the Treasury because of the exorbitant prices that were asked for the sites. The whole subject of this legislation should go to the Committee on the Judiciary, and I hope my friend from Oregon will allow it to take that direction; for certainly there is to be very imposing legislation on this subject if there is any attempt to legislate in regard to any one of the land claims in California. I hope, without any further controversy in this case, that it will go to the Judiciary Committee of the Senate for examination; and I will tomorrow

> refer another bill, the very bill to which the Senator from Vermont has alluded, which embraces this and all other questions, to that committee. Why, sir, we have been making appropriations for seven years for the fortifications at Fort Point, and the question of title has never come up before. It is purely a judicial question, now pending in the Supreme Court of the United States, and it ought to be decided there; but if it is to be acted upon by Congress, it ought to be in a general bill, such as the Senator from Vermont proposes.[101]

Accordingly, Mr. Gwin, finding the bill was already before the Committee on the Judiciary, requested the chairman of that committee, Mr. Bayard of Delaware, to bring it before the Senate. It was introduced on the 19th of April, and its passage urged by Mr. Gwin in the following remarks:

> I will make a suggestion to my friend from Oregon, and I think he will withdraw his objection. This bill merely gives the power to the Government to condemn property for public uses. His state and mine have suffered greatly for want of just such a bill as this. There is a lighthouse that ought to have been built at Point Reyes years ago. We had an appropriation of $25,000. The parties owning the ground, knowing the necessity of having a lighthouse there, asked $25,000 for three and two-thirds acres, the amount of the entire appropriation, when it was not, in fact, worth twenty-five cents an acre. The Lighthouse Board would not give it; and the appropriation lapsed back into the Treasury. The commerce between California and Oregon is suffering constantly for want of that lighthouse. We have lost appropriations for several lighthouses on our coast for that very cause; but we can get all these moneys reappropriated. They have lapsed back into the Treasury, because there is no means of getting the titles to the sites where the lighthouses are to be located. The Senate is about to adjourn over for ten days, and the appropriation bills will come up here at once when we reassemble, so that we cannot ask for the re-appropriation of these amounts, unless we provide some mode by which the title to the land may be acquired. The bill has been examined with great attention, on two occasions, by the Judiciary Committee. They are for it unanimously; and it seems to me that it is very important that we should act upon it at once, in order that we may have the money that was appropriated for lighthouses in California and Oregon and Washington re-appropriated in the appropriation bills when they come up. I hope my friend will withdraw his opposition.[102]

Mr. Gwin's opposition to the first bill named, and to its reference to the Military Committee, was of so determined a character that it was never reported back to the Senate for its action. For years afterward, such claims were pressed upon Congress, and even to this day, one of them, the Santillan claim, is before Congress. The celebrated McGarrahan case is one of this class,[103] and others that could be named. All of these claims are not charged to be fraudulent. Many of them were forgeries, sustained by false swearing, and have been a source of constant expense and litigation to the citizens of the State.

After Congress adjourned, the members from California returned home and engaged in the heated contest for the Presidency, the whole delegation supporting the Breckinridge ticket.[104]

* * *

At the opening of the second session of the 36th Congress, the whole country was alarmed at the prospect of secession of the Southern states, and questions connected with that subject absorbed almost the entire attention of that session. There was very little except routine legislation and making appropriations for works already commenced for the Pacific Coast, with two exceptions. One of these was the bill to give the aid of the Government to establish a telegraph line to the Pacific Coast. After ten years of earnest labor in behalf of this measure, Mr. Gwin succeeded during this session in having it enacted into a law. The Senate sent to the House the bill, giving $50,000 a year for ten years, as a subsidy. The House amended the bill, giving $40,000. On motion of Mr. Gwin, it was at once accepted, and it was approved by the President, and thus became a law.[105] This is one of the most important bills that ever passed Congress, so far as the Pacific Coast is concerned. The Civil War breaking out immediately after, it is doubtful if the line could have been constructed for years, if the aid of the Government had not then been extended. The second measure was the Pacific railroad bill, which passed the Senate after an elaborate discussion during both sessions of this Congress. The bill provided for the construction of three routes —northern, central, and southern, and on its final passage there were thirty-seven in favor of it and fourteen against it in the Senate. It passed that body on the 30th of January 1861, and, as has been before stated, could easily have passed through the House, but for the determination of the Republican members of that body to postpone action on that great question until after Mr. Lincoln was installed as President.[106]

On the expiration of the term of the Senate, on the 3rd of March 1861, Mr. Gwin retired into private life, and never after actively participated in political affairs in California. His term in the Senate was a very exciting one, and his political conflicts at home were of the severest kind. For twelve successive years he canvassed the state, crossing the Isthmus of Panama twenty-four times in that period. He was a stern party leader, and his severest political conflicts were with the members of his own party who were not disposed to sustain the organization of the party unless their personal views could be carried out. He was a stern party leader, and a successful one. He never failed to control the Democratic party, to which he belonged, and carry it successfully through every conflict in the state, from the date of its admission until his term in the Senate expired in 1861. The exception of the Know Nothing success in 1855 originated in a great degree from Mr. Gwin's defeat by a portion of the Democratic members in the Senate and Assembly. His party was undeniably in a majority in the state, and carried it the very next year, 1856, in the Presidential election. His views on the subject of secession were persistently misunderstood during the whole conflict of the Civil War. He never was a secessionist. He was a Jackson Democrat, opposed to nullification in Calhoun's time, and secession at a later period. No living man was more devoted to the Union of the States than he, and his last utterances in the Senate demonstrate this fact. The subject under consideration was the state of the Union, and the occasion was the last night of the session, just before adjournment, when Mr. Gwin made the following remarks:

> Mr. President, I do not object to this resolution on account of its being bad grammar. My objection goes a long way beyond that. If it is to be a finality, it will not satisfy the country; it will not accomplish the object I have at heart as much as [any] man that breathes, to make us again a united, prosperous, and happy people. I hope [that] the Senator from Ohio (Mr. Pugh), instead of making the issue upon this verbal alteration, will offer as a substitute the resolutions of the Senator from Kentucky (Mr. Crittenden) as they were matured in the Senate and voted upon. That is, in my judgment, a measure which, if it should pass the two Houses of Congress, or even the Senate, would be greatly calculated to quiet the excitement that now exists in the Southern states. Nothing short of something approaching that will have the beneficial effects that we should desire from any measure passing through the Congress of the United States; and if we cannot get the coöperation of the House, we ought to pass them through the Senate. Sir, I believe, if those resolutions had passed Congress at an early period of this session, and been submitted to the people, they would have been adopted by a majority of millions; and upon that basis we could have reconstructed this Union, and put it upon a foundation on which it would last forever.[107]

Again, in the progress of the consideration of the bill, Mr. Gwin made the following remarks:

> Mr. President, I voted for the amendment offered by the Senator from Ohio, because I thought it was infinitely better than the proposition before the Senate, the resolution from the House of Representatives. I think it is entirely inefficient, and its passage would be entirely useless. After what we have heard tonight, and what we know is the state of the country, it is perfectly apparent it will be a dead letter on the statute book, if it passes. Nothing beneficial can result from the passage of the resolution; but still I intend to vote for it. There is nothing that can be proposed here, that can by any possibility tend to quiet the country, and restore the Union as it existed, that I will not sustain; but I believe the resolutions that have just been voted down, offered by the Senator from Ohio, the most effective measure that has been offered yet. I voted for them; but I shall vote against the amendment now proposed, and then shall vote for this resolution. I hope the Senator from Illinois will persevere in the effort that he intends to make, to give us a vote on the Crittenden resolutions.[108]

* * *

These were the last words spoken by Mr. Gwin in the Senate of the United States; but there are other facts in the history of that period, which further demonstrate his earnest desire to prevent a conflict between the North and the South. No man in the Senate, or in public life at the time, or perhaps in the United States, possessed more the confidence of the great leaders of the three parties which then existed in the country—the Union party, the extreme Northern party, and the extreme Southern party. The leaders of the two extreme parties, North and South, especially, gave Mr. Gwin a common confidence. It was in his house, and at his hospitable table, that these extreme leaders of the two sections first were brought into social contact. At his table might be seen Butler of South Carolina, Mason of Virginia, Hunter of Virgina, [David R.] Atchison of Missouri, Jefferson Davis of Mississippi, and at the same time, Seward, Fish, Hale, and the other great leaders of the party of the North. The attachment of Mr. Seward to Mr. Gwin was well known throughout the Senate to all parties. He was often heard to remark that he had never met with any man in public life for whom he had so great an affection. He gave abundant evidence of this fact in his earnest support of every measure brought forward by Mr. Gwin. In season and out of season, he was always advocating his measures, and endeavoring to secure their passage into laws.

When Congress assembled after the Presidential election in 1860, it soon became apparent that there would be an earnest contest in the Republican party to secure the control of the incoming President and administration. Mr. Lincoln, as a new man, with but little experience in public life, was greatly underrated in his own party. By some it was supposed that he would be mere putty in the hands of the great leaders of that party. He had been the successful competitor of Mr. Seward in the nomination for the Presidency, and it was presumed that a strong anti-Seward party would be created against Mr. Seward's appointment in the Cabinet as secretary of state. In this emergency, Mr. Seward approached Mr. Gwin, as a pronounced Union man, in favor of preventing the separation of the states, and if that could not be, in favor of a separation without war. Civil war he deprecated as the greatest misery that could be inflicted on the human race, especially in such a country as the United States. Mr. Seward was as earnestly in favor of preventing civil war as Mr. Gwin was, and there they met on a common ground. But events had occurred that rendered the separation of the states inevitable, with or without war. Several had seceded, and others were bound to follow, the public sentiment of these states being in favor of secession. It was under these circumstances that Mr. Seward approached Mr. Gwin and said that he had agreed to permit his name to be presented to Mr. Lincoln for the position of secretary of state; and that he had a policy which he wished to state to Mr. Gwin, and for an object, in case he should be selected by Mr. Lincoln for that place. His policy was, that if the separation of the states could not be prevented, let the separation be a peaceful one; and to lead the public sentiment of the people of the North and South in the future, and especially of the South, in such a direction that they might see what a great error that section had committed, and to re-establish the Union without the intervention of civil war. To carry out this policy, Mr. Seward's appointment as secretary of state was an indispensable necessity, and to secure that appointment, it was important that Mr. Lincoln should know that Mr. Seward's long services with the great leaders of the South in the Senate would inspire them with confidence, that his appointment as secretary of state would inaugurate a policy for the amicable separation of the two sections, leaving it to be determined by the people in the future whether or not the two sections should be kept separate.

Mr. Seward further stated that he thought no man could more properly secure this information from the leaders of the South than Mr. Gwin, and to possess that information, in order to use it when Mr. Lincoln reached Washington, it was necessary that Mr. Gwin should enter into correspondence with the leaders of the South, and especially with Mr. Jefferson Davis, who had been elected President of the Southern Confederacy.[109] After various interviews and consultations, Mr. Gwin acceded to Mr. Seward's request and wrote to Mr. Davis a full account of these interviews and their result, and stated that unless he was notified to the contrary by Mr. Davis, he would urge upon Mr. Lincoln the appointment of Mr. Seward as secretary of state, as a step in favor of the amicable settlement of the difficulty between the North and South; and such an appointment would be more acceptable to the South than any other that could be made by the incoming President, to that important office. This letter was written, and safely dispatched to Mr. Davis; and ample time was allowed to receive the response that was asked for, in the event that Mr. Davis disapproved of Mr. Gwin's recommending to Mr. Lincoln the appointment of Mr. Seward as secretary of state, on the ground that it would be considered as a favorable evidence of the pacific character of the incoming administration of Mr. Lincoln. An answer was expected to that letter. As no response was received, Mr. Seward, on Mr. Lincoln's arrival in Washington, brought about an appointment for a meeting between Mr. Lincoln and Mr. Gwin, a few days before his inauguration. Mr. Lemon [Ward Hill Lamon], who was the confidential friend of Mr. Lincoln, was the intermediary through whom the meeting was to take place, in the President's room at the Capitol, then but recently finished for use. At this meeting Mr. Gwin stated fully his views on the subject and went over the ground at large, Vice President Hamlin being present in the room, but not participating in the conversation and apparently not listening to it. The interview lasted over an hour. Mr. Lincoln listened with great patience, and gave his undivided attention to what Mr. Gwin had to say. He evidently carried conviction to Mr. Lincoln's mind that the appointment of Mr. Seward as secretary of state would be received in a friendly spirit by the leaders of the South. After the interview terminated, the result was immediately communicated to Mr. Seward, and it then became a settled fact that he would be appointed secretary of state. But the friends of the Union who desired that the new cabinet should be of a character that would favor the friendly association of the two sections of the country and avoid, if possible, a civil war, were greatly disturbed at the prospect of the appointment of Mr. [Salmon P.] Chase as secretary of the treasury. It was an indication, as they thought, that the radical section of the party would control Mr. Lincoln's administration and not favor the amicable settlement of the difficulties between the North and the South. Mr. Gwin went to Mr. Seward and told him that he had assumed a grave responsibility in writing to Mr. Davis and earnestly stating to him that Mr. Seward's appointment as secretary of state might be considered by the leaders of the South as an indication favorable to the amicable settlement of the difficulty between the two sections; and having thus disarmed the South to some extent of the belief that there would be a civil war, now, in the event of Mr. Chase's appointment to the Treasury, the feeling against Mr. Gwin in the South would be extreme, and he would be charged with having led its leader astray. Mr. Seward assured Mr. Gwin that Mr. Lincoln's administration would be in favor of a peaceful settlement of the question, and [did so] with such earnestness as to leave the impression on Mr. Gwin's mind that Chase would certainly not be appointed secretary of the treasury; and when his selection was announced officially, Mr. Gwin at once prepared a telegraphic message to Mr. Davis, as President of the Southern Confederacy, in which he stated that all that he had said in his letter in favor of the amicable disposition of Mr. Lincoln's administration toward the settlement of the question between the North and the South, without civil war, had been changed by the selection of Mr. Chase as secretary of the treasury.[110] This dispatch was drawn up by Mr. Gwin in self-defence, in order that he might not be charged with having misled Mr. Davis in the letter he had written him; but in order that he might not prejudge this selection of Mr. Chase, he sent a mutual friend of Mr. Seward and himself, with this dispatch to Mr. Seward, in order that he might see it before it was sent to Mr. Davis. On receiving the dispatch, Mr. Seward changed it, to read in substance as follows: that, notwithstanding the selection of Mr. Chase as secretary of the treasury, Mr. Lincoln's administration would be favorable to the amicable settlement of the difficulties between the North and the South; and this dispatch was sent to Mr. Davis as altered by Mr. Seward, and in his own hand writing. Mr. Gwin has been of the opinion for a long time that this dispatch, which was taken to the telegraph office by this mutual friend, was copied by that mutual friend and Mr. Gwin's name signed to the copy thus sent to Mr. Davis. The original dispatch of Mr. Gwin, as altered by Mr. Seward, he has always believed was retained in possession of this gentleman, who, although a pronounced Democrat, was a man of great power with Mr. Seward during the whole term of his occupying the position of secretary of state. Whether this power originated from the confidence with which he had entrusted this gentleman, although a Democrat, previous to this date, or through the medium of this dispatch, which placed Mr. Seward in a perilous position after the Civil War broke out, is mere conjecture.

Telegraphic communication between the North and the South had not yet been broken. Contemporaneous with these events, and continuing to use Mr. Gwin as an intermediary between the leaders of the South and himself, Mr. Seward authorized him to call upon the Southern commissioners who had been appointed by the Confederate Congress to confer with the incoming administration, to convey to those commissioners Mr. Seward's earnest desire, he then being secretary of state, to have the difficulties between the North and the South amicably adjusted. Mr. Gwin met the commissioners, especially one of them, Mr. [Martin J.] Crawford of Georgia, and frequent messages of a friendly character passed between Mr. Crawford and Mr. Seward, through Mr. Gwin; but on one occasion, when Mr. Crawford wanted something more tangible than verbal communications and requested Mr. Gwin to so state to Mr. Seward, and when Mr. Gwin conveyed this message to Mr. Seward, he was asked to call at a certain hour the following morning, [Mr. Seward] desiring time for consideration for his answer. It then became evident to Mr. Gwin, from Mr. Seward's manner, that he was not as confident of securing an amicable settlement between the North and the South as previously. Hence, when Mr. Gwin called at Mr. Seward's residence at the appointed hour the next morning, and was informed that Mr. Seward the night before had had a severe attack of lumbago which rendered it impossible for him to leave his bed to transact any public business, Mr. Gwin received it as evidence of the fact that Mr. Seward could give no such guaranty to the South, or in such form as would satisfy the Southern commissioners that there would be no collision between the two sections of the country. He at once went to Mr. Crawford, and made a statement of this fact to him, and that he considered that his position as intermediary between Mr. Seward and the Southern commissioners had terminated; that although he did not doubt the fact that Mr. Seward had been attacked by lumbago, as stated, yet he was not satisfied that Mr. Seward was not in condition to see him and give him the answer, as he had promised to do that morning. He stated to Mr. Crawford then and there that he ceased to act as intermediary in this matter, and intended to leave the city at once. Mr. Crawford urged him earnestly not to do so, but Mr. Gwin was firm, and left that very day for New York. He considered the position too perilous to occupy. Being a firm Union man, his term in the Senate just having expired, and having become a private citizen again, he thought that if he should commit any blunder, especially such as deluding the South into the belief that there would be no civil war, it would place him in a false position before the people of that section. He therefore determined that under no circumstances would he act further in the matter. Subsequent events cleared up in some degree the difficulty that Mr. Seward had encountered when he proposed in the Cabinet to give this guaranty that was required by the Southern commissioners, of the amicable intentions of the Administration in the settlement of the questions between the North and the South. Mr. Seward found an unexpected difficulty in the aggressive arguments of Mr. Montgomery Blair, postmaster general, in favor of a sterner policy than that advocated by Mr. Seward, in conducting negotiations between the North and the South. In fact, it was stated, and may be considered as historically true, that Mr. Montgomery Blair was so determined in the advice he gave in Mr. Lincoln's Cabinet, that it was the duty of Mr. Lincoln's administration to sustain Major [Robert] Anderson at Fort Sumter, that he overruled the pacific policy of Mr. Lincoln and all the other members of the Cabinet, and secured that aggressive movement that brought on the Civil War. Mr. Gwin has always believed that Mr. Seward was in earnest in his desire to bring about an amicable settlement between the two sections of the country, although he was denounced in the South as having assumed to entertain these sentiments for the purpose of deceiving the South; and Mr. Gwin has always maintained that he was earnestly in favor of an amicable settlement, and that he was overruled by the aggressive members of the party.

On Mr. Gwin's retiring from the position that he had occupied as intermediary, Judge Campbell, of the Supreme Court of the United States, acted in that capacity until the final rupture took place between the Southern commissioners and Mr. Seward. Judge Campbell then resigned his position as one of the Supreme Court Bench, and went to the South, and participated actively in the movements there, and was, during the period of the Civil War, acting secretary of war for the Southern Confederacy.

NOTES

89. For the record of this vote, Gwin's amendment, and the discussion, see *Congressional Globe*, 35th Cong., 2d sess., pp. 713, 785.

90. See *ibid.*, pp. 851-57, for Gwin's remarks, additional discussion, and the vote on the bill. The measure carried by a vote of 25 to 22.

91. There is no doubt that the glorification of Broderick as a result of his death in a duel did much to accentuate and perpetuate the belief that Gwin, although he had nothing to do with Broderick's death, was a vicious pro-slavery politician.

92. Cf. *Cong. Globe*, 36th Cong., 1st sess., pp. 124-27. The words in brackets are from this source.

93. For the foregoing discussion, cf. *Cong. Globe*, 36th Cong., 1st sess., pp. 183-84, where the identical material is found save for variations in punctuation, capitalization, the use of the article, and other minor differences.

94. For the complete record of this friendly discussion, see *Cong. Globe*, 36th Cong., 1st sess., p. 1728.

95. For a full discussion with adequate footnote references, see McPherson, *op. cit.*, pp. 185-210.

96. Gwin's date for the ensuing discussion is incorrect. The correct date is February 9, 1860. See *Cong. Globe*, 36th Cong., 1st sess., p. 711.

97. In lead pencil in the margin of the manuscript is the statement: "The Butterfield route was not suspended at this period as this bill did not become a law at that session."

98. See *Cong. Globe, loc. cit.*

99. In confirmation, see *Cong. Globe*, 36th Cong., 1st sess., p. 3293.

100. This date is an error. It should be April 17, 1860.

101. For the complete discussion, see *Cong. Globe*, 36th Cong., 1st sess., pp. 1744-45.

102. The full text of these remarks may be found in *Cong. Globe*, 36th Cong., 1st sess., p. 1791.

103. McGarrahan's claim was never confirmed. See Robert J. Parker, "William McGarrahan's 'Panoche Grande Claim'," in the *Pacific Historical Review,* V (September 1936), 212-21.

104. Gwin supported the Breckinridge ticket because he could not support the Republican, and he was opposed to Douglas' constitutional philosophy. He supported Breckinridge's policy of state freedom with regard to domestic institutions, and although he believed the Union was perpetual, he regarded it as a confederacy.

105. See *Cong. Globe,* 36th Cong., 1st sess., pp. 494, 1292, 1345, 2422, 3032, 3063, 3113; *Statutes at Large,* XII, 41.

106. Fuller information will be found in *Cong. Globe,* 36th Cong., 1st sess., pp. 214, 259, 291, 1427; *House Journals,* 36th Cong., 2d sess., pp. 257, 301, 308, 312, 315.

107. Cf. *Cong. Globe,* 36th Cong., 2d sess., p. 1367.

108. The foregoing words were followed by a few remarks of a similar tenor by other senators. See *Cong. Globe,* 36th Cong., 2d sess., pp. 1401-4.

109. Some light is thrown on these matters in Frederic Bancroft, *Life of William H. Seward,* II (New York, 1900), 25-26, 108-11, 264-66; and in *Official Records of the War of the Rebellion,* Series I, Vol. LIII, Supplement, p. 128.

110. In one brief communication to Mr. Davis, Mr. Gwin said, "The inaugural will be pacific, followed by conciliatory policy. This is certain." *Official Records of the War of the Rebellion,* Series I, Vol. LIII, Supplement, p. 128.

The Boundary Line Between California and Oregon

By Francis Seeley Foote

THE UNITED STATES claimed ownership of the Oregon territory by virtue of the Louisiana Purchase of 1803 and because of early exploration and settlement, but claims were made also by Spain and Great Britain.

On August 19, 1818, Captain James Biddle, U.S.N., by order of the President, officially took possession of the basin of the Oregon or Columbia River. Spain had formerly established forts along the Oregon coast, but these had been abandoned before 1800, although Spain retained a claim to the area.[1]

Negotiations were in progress in 1818 and early 1819 between Spain and the United States, toward a treaty to settle various differences, including the location of the boundary line between this country and the Spanish possessions.[2] During those treaty negotiations many different lines were proposed and discussed through a series of compromises. In much of the discussion, Latitude 41° was the line considered for use as the boundary west of the Rocky Mountains, but in the final treaty 42° was adopted.[3] By this treaty Spain ceded Florida to the United States and relinquished claim to Oregon. In 1828, Mexico and the United States concluded a treaty in the same terms.[4]

Later, after the line between the United States and the British territories had been settled, Oregon Territory was established by act of the United States Congress in August 1848, with the 42d parallel as its southern boundary.[5]

California and other territory having been ceded to the United States by Mexico in the treaty of Guadalupe Hidalgo, in 1848, the Constitution of California, adopted by convention in 1849, specified latitude 42° as the northern boundary of the state. That constitution was approved by Congress, and the state admitted to the Union on September 9, 1850.

During all that time the boundary line seems not to have been surveyed, although the treaties with Spain and Mexico made provisions for the appointment of joint commissions to survey and mark the line. Soon after the admission of California as a state, a dispute developed about the Althouse and Sailor Diggings mining camps, which were claimed by both California and Oregon. The legislature of California in 1854 appropriated $3,500 for a survey from the coast to the vicinity of Pilot Knob.[6]

Thaddeus P. Robinson, county surveyor of Klamath County, was appointed to make the survey.[7] He was assisted by George H. Van Cleft and

A. W. Thompson, civil engineers, and by a number of subordinates. Starting from a United States Coast Survey monument at Crescent City, a traverse was run in a northerly direction to the computed position of the 42d parallel; and on June 6, 1854, the first monument on the boundary was established, a short distance north of the mouth of the Winchuck River, and the line was started eastward from that point. The line was run as a straight line perpendicular to the meridian at the first monument,[8] the offsets from that line to the parallel being computed and tabulated in the report.

From June 6 to 19 the line was run for a distance of thirty miles through a rugged, and at times almost impassable, country, and on the 26th the party reached the summit of the Siskiyou, about fifty miles from the coast.

The disputed areas having been passed, and the appropriation having been exhausted, the survey was discontinued. The final point on the line run was computed to be 1,684.52 feet south of the parallel. Both the Althouse country and Sailor Diggings (the inhabitants of which for a time had voted in California)[9] were found to be on the Oregon side of the line.

Congress, on March 2, 1867, authorized a survey of the boundary between California and Oregon,[10] and in accordance with that act of Congress, the United States General Land Office contracted with Daniel G. Major to run the line. He performed the field work during the years 1868-70. His field notes and map are in the records of the General Land Office.

Major established an observatory at Camp Bidwell, in Surprise Valley, and by a long series of observations determined his position as 120°51′47.55″ West and 41°51′34.4″ North, or 9 miles 55 chains south of the 42d parallel and 5 miles 35 yards west of the 120th meridian. Latitude was determined by zenith distances and by meridian altitudes with the sextant. Longitude was found by moon culminations and occultations.[11] A line was run from Camp Bidwell to the computed position of the northeast corner of California, and that point marked by a circular monument of stones nine feet in diameter at the base and seven feet high, surmounted by a suitably inscribed sandstone, 20 x 20 x 10 inches, and a six-foot juniper post. Below the mound were deposited three large black bottles and a charred cottonwood stake.

From that corner Major ran his line westward, measuring the distance, setting monuments on the line, and occasionally establishing other astronomical stations. In all, he made over four thousand astronomical observations. He observed at or near his milepost 49, near milepost 77, and at "Cole's ranch" on the California and Oregon stage road, near milepost 133. Following that, the report mentions the mining camps at Hungry Creek and at Grouse and Beaver creeks, then Stirling's Mountain, and the main Siskiyou divide at mile 147. Major appears to have run tangents to the parallel, with offsets from tangent to the parallel itself.

Major established a milepost or monument at the end of each mile, except that, toward the western end of the line, because of the roughness of the country, the marked points were set at odd distances. These points, whether at distances of a full mile or otherwise, were usually marked by posts set in piles of stones and earth. In the field notes such a marker is called a stone monument. Occasionally a tree was used instead. The notes describe many witness trees and many trees blazed along the line. Pilot Knob is at mile 130, the Siskiyou divide at mile 147, and a high backbone ridge at mile 167. At that point the fifth astronomical station was established and observations were made for latitude and azimuth. Althouse mining district was found to be four miles north of the line, and Waldo, or Sailor Diggings, three miles north. From Pilot Knob to the coast, the country is described as very rough and difficult to travel through: "impenetrable undergrowth of tropical density, entangled masses of burned and fallen timber, perpendicular mountain sides, and profound ravines."[12]

The terminal monument at 212 miles, 28 chains, one-third mile south of the Winchuk River, was a spruce post surrounded by a monument of stones five feet at the base, set about five chains from mean low water. Later Mr. Jackson, who owned the land, replaced the rapidly decaying spruce post with one of Port Orford cedar, under instructions of L. F. Cooper, county surveyor of Del Norte.[13] In 1881 Cooper retraced the line. In 1915, stones, charcoal, and two small spruce knots were found by excavating, identifying the position of the monument. The knots of the spruce resist decay much longer than the remainder of the wood. In 1915 an iron post was set at the point. That post is three feet long and three inches in diameter, with the cap suitably marked.

The latitude of this terminal point as given by the United States Coast and Geodetic Survey is 41°59′55.736″ North. The monument is described as a post five inches square surrounded by a cairn of stones, which description probably dates from 1870. The location of the point is given as ten meters east of the road, which undoubtedly was the road from Crescent City to Ellensberg mentioned by Major.[14] The road was later relocated, and the present highway is about four hundred feet east of the former location.

The northeast corner of the state was relocated by A. W. Von Schmidt in 1872 when he ran the 120th meridian line.[15] It is 258.73 chains, or more than three miles, east of Major's corner.

Since there was a dispute as to the position of the boundary between Del Norte County, California, and Curry County, Oregon, a concurrent resolution was passed by the State legislature on February 5, 1874, directing the senators and representatives in Congress from California to use their "influence and all honorable means in their power" to have the proper United States authority determine and mark the line.[16] Evidently Major's line was unsatisfactory to someone.

Starting on May 8, 1915, the line was retraced, point by point, from the coast to milepost 145, by Fred W. Rodolf and Aubury H. Bond of the General Land Office.[17] This survey shows much irregularity in the line; for example, running eastward, at Major's Point at 211 miles, 38 chains, there is a deflection angle of 0°55′ to the south; at 211¼ miles, 0°39′, to the north; at 210 miles 43 chains, 1°31′ to the south; and so on. The undergrowth was cut for a distance of three feet on each side of the line; all trees intersected were marked "O" and "C" on the proper sides; and all trees within 50 links of the line were blazed with three blazes on two sides, diagonally toward the line. Major's points were identified and were marked with three-inch iron posts with brass caps. Additional points were set on the line. Many witness points were observed and recorded; frequently these were trees. Milepost 145 was reached in November 1915.

In July 1916, Fred W. Rodolf continued this work to milepost 107 in the same way and with similar results.[18] Some lines were found running almost three degrees from due east. In 1916-17, Fred Mensch resurveyed Major's line from milepost 79 to milepost 67 (with the exception of five miles from milepost 75 to milepost 70);[19] and some other short sections between mile 107 and the northeastern corner of the state have been run. The General Land Office surveys in California, also those in Oregon, have been closed on this line, and the closing corners set, strengthening the monumentation. Maps and records of all this work are available in the files of the General Land Office in Washington.

No legislative action adopting Major's line as the legal boundary appears to have been taken, but acquiescence and implied acceptance for these many years are perhaps as effective, and the line as run by Major is the recognized boundary.

NOTES

1. J. Neilson Barry, "Oregon Boundaries," *Oregon Historical Quarterly*, XXXIII, 259-67.
2. *American State Papers, Documents Legislative and Executive* (Washington, D. C., 1832-61), IV, 617-23.
3. Barry, *loc. cit.*
4. 30th Cong., 1st sess., S. Ex. Doc. 52, 1848; also William M. Malloy, comp., *Treaties, Conventions, etc. .... 1776-1909* (61st Cong., 2d sess., S. Doc. 357), I, 1082.
5. 9 U. S. Stat. at L. (1848), 323; also U. S. Geological Survey *Bulletin*, No. 817 (Washington, 1930), pp. 35-36.
6. *Annual Report of the Surveyor General of the State of California [for 1854]*, ([Sacramento], 1855), p. 3; also Cal. Stats (1854), 31-32.
7. Surveyor General, *op. cit.*, pp. 17-24.
8. *Ibid.*, pp. 19 and 22.
9. William Henry Brewer, *Up and Down California*, ed. by Francis P. Farquhar (New Haven: Yale University Press, 1930), pp. 482-83.
10. *Annual Report of the Commissioner of the General Land Office, 1870* (Washington, 1872), p. 33.
11. *Loc. cit.*

12. *Loc. cit.*

13. Notes of Resurvey of 1915, on file in the General Land Office, Washington, D. C.

14. U. S. Coast and Geodetic Survey Special Publication No. 31 (Washington, 1915), pp. 73 and 126.

15. Notes of the Von Schmidt survey in the General Land Office. Von Schmidt at this time surveyed the California-Oregon boundary along the 72d parallel, between his corner and the one set by Major, somewhat more than three miles.

16. Cal. Stats., 1873-74, p. 974.

17. Notes of surveys in the General Land Office.

18. *Ibid.*

19. *Ibid.*

Recent Californiana

A Check List of Publications Relating to California

BOOKS AND PAMPHLETS

Austin, Leonard

Around the World in San Francisco. Foreword by Louis Adamic, Pictures by Pauline Vinson. Stanford University: James Ladd Delkin, November, 1940. x + 112 pp., 33 illus. in two colours. $7.50.

Limited to 500 copies, printed by the Grabhorn Press.

Black, Eleanora, and Robertson, Sidney (Compilers)

The Gold Rush Song Book; Comprising a Group of Twenty-five Authentic Ballads as They Were Sung by the Men Who Dug for Gold in California During the Period of the Great Gold Rush of 1849. With Music. San Francisco: The Colt Press, 1940. ix + 55 + [1] pp. $2.00.

The music notes were drawn by Eleanora Black, the decorations by Mallette Dean. These are the songs the Gold Rush made, vivid and direct, easy to remember, and good fun to sing.

[Clemens, Samuel]

Mark Twain's Travels with Mr. Brown; Being Heretofore Uncollected Sketches. Collected and edited with an introduction by Franklin Walker and G. Ezra Dane. New York: Alfred A. Knopf, Inc., 1940. [10] + 296 + [2] pp., illus. $5.00.

Limited to 1,795 copies.

[Coil, Nelle S. et al]

History of Yolo County, California; Its Resources and Its People. Woodland, California: [Issued by subscription] 1940. xvii + [2] + 573 + [6] pp.

Dunne, Peter Masten

Pioneer Black Robes on the West Coast. Berkeley and Los Angeles: University of California Press, 1940. xiv + 286 pp., illus. $3.00.

Frederick, James Vincent

Ben Holladay, the Stagecoach King; a Chapter in the Development of Transcontinental Transportation. Glendale: Arthur H. Clark Company, 1940. 334 pp., illus., fold. map.

Glasscock, Carl Burgess

Here's Death Valley. Indianapolis, Indiana: Bobbs-Merrill Co., 1940. xiv + 17 + 329 pp., illus. $3.00.

Haiman, Miecislaus

Polish Pioneers of California. Chicago: Polish R. C. Union of America, 1940. 83 pp. Volume V of *Annals of the Polish Roman Catholic Union Archives and Museum.* This includes such well-known names as Holinski, Strentzel, Wierzbicki, Zabriskie, and Zakrzewski.

Kahn, Edgar M.

Cable Car Days in San Francisco. Stanford University: Stanford University Press, 1940. xvi + 124 pp., illus. $3.00.

Miller, Max

Harbor of the Sun; The Story of the Port of San Diego. New York: Doubleday, Doran & Co., Inc., 1940. xiii + [2] + 329 pp. $3.00.

Illustrated with old contemporary prints and photographs.

Older, Mrs. Fremont

Love Stories of Old California. New York: Coward-McCann, Inc., 1940. xvi + 306 pp., illus. $3.50.

Riesenberg, Felix, Jr.

Golden Gate: The Story of San Francisco Harbor. New York: Alfred A. Knopf, Inc., 1940. xvi + 347 + xii + [1] pp., illus. $3.50.

U. S. Works Projects Administration

History of San Francisco Journalism, Vol. III, 1940. History of the San Francisco-Oakland Newspaper Guild, by Russell Quinn. iv + 116 pp. [Mimeographed.]

——History of Music in San Francisco Series, Vol. VI, 1940. Early Master Teachers, foreword by Albert Elkus, edited by Cornel Lengyel. viii + [3] + 149 + [2] pp., illus. [Mimeographed.]

——Inventory of the County Archives of California, No. 10, 1940. Fresno County [ii] + vi + 624 pp. [Mimeographed.]

——Inventory of Federal Archives in the States, Series IX, Department of Agriculture, No. 5, 1940. California. Part I: xi + 261 pp. Part II: iv + [ii] + 263 + 529 pp. Part III: v + [ii] + 531 + 717 pp. [Mimeographed.]

——San Francisco Theatre Research, edited by Lawrence Estavan, Vol. XIV, 1940. A History of Burlesque, by Ettore Rella. [vii] + 342 + [1] pp., illus.

Watson, Douglas S.

San Francisco [1st page of Civic Section, *San Francisco and Bay Counties Telephone Directory*, November 1940. Also in *Oakland, Alameda, Berkeley and San Leandro Telephone Directory*.]

A well-written and concise history (in 1200 words) of San Francisco from the very beginning.

ARTICLES IN PERIODICALS

Appeal-Democrat

Marysville and Yuba City, November 12, 1940, 80th Anniversary Edition. Contains many articles on the early history of the two cities. The *Appeal-Democrat* reprinted in its columns, starting Nov. 18, chapters from Stephen J. Field's *Personal Reminiscences of Early Days in California*.

California Monthly

The September 1940 issue contains "Toland's Luck; the Story of a Surgeon-Adventurer [Hugh Huger Toland] in the Fifties," by Edgar L. Gilcreest, M.D.

Motor Land

Vol. XLVII, No. 4 (October 1940), contains: "Old Mission Pilgrimage; Following the Historic Trail of the Franciscans," by Hardwick House.

Pony Express Courier

November, 1940, contains: "'Tomesha,' or Ground Afire" (The Indian Name for Death Valley), by H. C. Everett; "The Great Emma Nevada," by H. Hamlin; "David Colbert Broderick," by Rarus Healey Rowdy, and other historical articles.

Westways

Vol. XXXII, No. 9 (September 1940), contains: "California Names—A Gazeteer, Chapters XIII, XIV and XV; continued in Nos. 10 and 11 (October and November 1940); "Memories of Ballarat," by Fred Gray (as told to Philip Johnston); "Bella Union," by Idwal Jones; "Historic Cabins of the Angeles," by Will Thrall. No. 11 (November 1940) contains: "Ghosts of Greenwater," by O. J. Fisk; "The Chipmunk Mine," by Idwal Jones.

News of the Society

Meetings of the Society

The Society held a luncheon meeting on Tuesday, September 17, 1940, at the Sir Francis Drake Hotel. The speaker was Mr. Gregory Crampton and his subject, "The Gold Rushes and Their Significance in the History of the Trans-Mississippi West."

Mr. Crampton illustrated his talk with a map showing the locations of the principal fields that attracted the hasty migrations so characteristic of mineral discoveries in the West. After a few references to earlier rushes, he took California as an example and noted the successive stages of development. As his main thesis he showed how, both in California and elsewhere, the program of economic and agricultural development was expedited far more rapidly than in other localities. These in turn stimulated the development of means of transportation. He then showed that the same phenomena were found in the subsequent rushes to the Rocky Mountain regions, British Columbia and Alaska.

There were forty-seven members and guests present.

At a luncheon meeting of the Society held at the Sir Francis Drake Hotel, on Tuesday, October 15, 1940, Mr. H. M. Butterfield was the speaker. His talk was on "Pioneer Horticulture in California." After referring to a few surviving remnants of mission and Spanish planting, the speaker reviewed the earliest records of American interest in the subject. These were meager and scattered through newspapers, together with a few references in books. However, with the advent of the fifties there was good evidence of considerable popular interest. By 1855 the State Agricultural Society had made a survey and listed numerous places where plants could be obtained.

Mr. Butterfield also spoke of a number of early day catalogues which he has collected. The plants offered in those very early days were of great variety and from many parts of the globe. He also spoke of some of the later nurserymen who had made special contributions to the industry.

There were forty members and guests present. Anson S. Blake

The last luncheon meeting of the year was held on Tuesday, November 12, at the Sir Francis Drake Hotel. Mr. Charles P. Cutten was the speaker, and the subject, "Adventures by Land and Sea in the Discovery of Humboldt Bay."

After touching briefly on the discovery of the bay by a party from the *O'Cain*, Captain Jonathan Winship's vessel, in 1806, Mr. Cutten told in more detail of the arduous trip overland to the bay from Rich Bar made by six miners under Dr. Josiah Gregg in the winter of 1849. He then discussed the several expeditions made by sea during that same winter in the *Cameo*, the *Laura Virginia*, the *James M. Ryerson*, and Sam Brannan's party in the *General Morgan*. After telling something of the lives of Dr. Gregg, Hans H. Buhne, the second officer of the *Laura Virginia*, and James T. Ryan, of the *General Morgan*, Mr. Cutten concluded his talk with a brief mention of a number of other people and events in the history of Humboldt County.

There were fifty-six members and guests present at the meeting.

New Members

NAME	ADDRESS	PROPOSED BY
Clark, Edward Strong	Piedmont, Calif.	Hon. F. W. Howay
Clary, William W.	Los Angeles	Mr. H. R. Wagner
Garcia, Mrs. Frank H.	Oakland, Calif.	Mr. Homer D. Crotty
Leermakers, John A.	Rochester, N. Y.	Miss Dorothy H. Huggins
Moffat, Miss Henrietta	San Francisco	Mrs. Alfred McLaughlin

Gifts Received by the Society

September 1, 1940, through November 15, 1940

BOOKS AND PAMPHLETS

From MR. FRED J. BOWLEN—Robbins, Robert Lash, *Postamp History of Rancho Peralta*, Oakland, Calif., 1940.

From MRS. EDMOND D. COBLENTZ—Austin, Leonard, *Around the World in San Francisco*, Stanford University: James Ladd Delkin, 1940.

From MR. TEMPLETON CROCKER—Clemens, Will M., *Mark Twain, His Life and Work*, S. F., 1892; Coulter, John, *Adventures on the Western Coast of South America and the Interior of California* (2 vols. in 1), London, 1847; Cowan, Robert E., *A Bibliography of the Spanish Press of California*, S. F., 1919 (unbound sheets); Dietrich, Dr., *The German Emigrants, or Frederick Wohlgemuth's Voyage to California*, trans. by Leopold Wray, Guben [Germany, n. d.]; Eldredge, Zoeth S., *Historic Trail in Western America* [S. F., n. d.]; Elton, *Elton's California Comic All-My-Nack*, N. Y., 1850; Farnham, Eliza W., *California, Indoors and Out*, N. Y., 1856; Farnham, Thomas J., *Travels in the Californias*, N. Y., 1846; Frémont, [J. C.] & Emory, [W. H.] *Notes of Travel in California*, N. Y., 1849; Gregory, Joseph W., *Gregory's Express Pocket Letter Book* [1851]; Haymond, Creed, *The Central Pacific Railroad Co. . . . . Oral Argument before Committee of U. S. Senate*, 1888; Hearst, Phoebe A., *International Concours for*

Meeker, *The Lectures of Bret Harte*, Brooklyn, N. Y., 1909; *Manual of the Corporation of the City of San Francisco . . . .*, S. F., 1852; *Outcroppings: Being Selections of California Verse*, S. F. and N. Y., 1866; [Sage, Rufus B.] *Scenes in the Rocky Mountains and in Oregon, California . . . .*, Phila., 1846; Sariñana, Isidro de, *Sermon . . . .*, Mexico, 1759 [from library of Emperor Maximilian]; Wentworth, May, *Fairy Tales from Gold Lands*, N. Y. & S. F., 1867; Woltor, Robert, *A Short & Truthful History of the Taking of California and Oregon by the Chinese*, S. F., 1882.

From MR. WILLIAM PARMER FULLER, JR.–*Ninety Years; the Story of William Parmer Fuller* [S. F.], 1939.

From MR. JOHN HOWELL–California Supreme Court, *Opinions, Briefs, Petitions, 1870-97* (62 items); Stetson, Simeon, *The People's Power, or How to Wield the Ballot*, S. F., 1883; U. S. Dept. of the Interior, General Land Office, *U. S. Mining Laws and Regulations, approved Dec. 15, 1897*, Wash. [1897].

From MRS. DOUGLAS A. McGRIFF–*History of Yolo County; Its Resources and Its People*, Woodland, Calif., 1940.

From POLISH ROMAN CATHOLIC UNION–Haiman, Miecislaus, *Polish Pioneers of California*, Chicago, 1940.

From SANTA ANA BOTANIC GARDEN–Santa Ana Botanic Garden, *Leaflets of Popular Information* [mimeographed], April 1938-June 1940, Nos. 1-37; *idem*, *Occasional Papers*, Series I, No. 1, March 1935.

From STANFORD UNIVERSITY PRESS–Kahn, Edgar Myron, *Cable Car Days in San Francisco*, Stanford University, 1940.

From U. S. WORKS PROJECTS ADMINISTRATION–History of Journalism in San Francisco, Vol. III, *History of the San Francisco-Oakland Newspaper Guild*, S. F., 1940; Inventory of the County Archives of California, No. 10, *Fresno County*, S. F., 1940; San Francisco Theatre Research, Vol. XIV, Rella, Ettore, *History of Burlesque*, S. F., 1940; Survey of Federal Archives, Series IX, Dept. of Agriculture, No. 5, *California, Parts I, II and III, S. F.*, 1940.

From UNIVERSITY OF CALIFORNIA PRESS–Klein, Julius, *The Making of the Treaty of Guadaloupe Hidalgo* (repr. from the *University Chronicle*) Berkeley, 1905; Neuhaus, Eugen, *The Art of Treasure Island*, Berkeley, 1939; Stewart, George R., *A Bibliography of the Writings of Bret Harte in Magazines and Newspapers of California, 1857-1871*, U. C. *Publications in English*, Vol. 3, No. 3, Berkeley, 1933; University of California *Anthropological Records*, Vol. I, Nos. 1 and 2 (1937), 6 and 7 (1939); *idem*, *Publications in American Archaeology and Ethnology*, Vol. 37, Nos. 1 (1935) and 4 (1937); Vol. 38 (1939).

From MR. HENRY R. WAGNER–Agnese, Battista, photographs of maps, etc., from an Agnese Atlas in the Huntington Library (15 pp., bound); Bolton, Herbert E., *Spanish Exploration in the Southwest, 1542-1706*, N. Y., 1916; Bonvalot, Gabriel, *Voyages: Les Chercheurs de routes, Marco Polo*, Paris, 1924; [Carrillo, Mariano; Créspi, Juan; and Ortega, Joseph Francisco] *Three Early California Letters*, from the Historical Society of Southern California *Publications*, 1933, bound with typewritten copy of orig. Spanish and trans.; Cowan, Robert E., *Bibliography of the Spanish Press of California, 1833-1845*, S. F., 1919 (with notes in handwriting of H. R. Wagner); D'Wolf, John, *Voyage to the North Pacific and a Journey through Siberia*, Cambridge, 1861; Edwards, P. L., *Sketch of the Oregon Territory or, Emigrants' Guide*, Liberty, Mo., 1842 (photostat); Gravier, Gabriel, *Les Voyages de Giovanni Verrazano*, Rouen, 1898; Haas, Irvin (comp. & ed.), *Bibliography of Modern American Presses*, Chicago, 1935; Hakluyt, Richard, *The Prin-*

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NEWSPAPERS AND MAGAZINES

From MR. TEMPLETON CROCKER—*Arthur McEwen's Letter*, S. F., Feb. 17, 1894-April 27, 1895 (19 issues); *California Mail Bag*, Jan.-Feb. 1872; *Daily Alta California*, S. F., July 17, 1851, March 15, Aug. 17, 1852, Sept. 17, 1859, March 5, 1864; *The Sun*, S. F., May 14, 1853; *Wide West*, Holiday Edition, n. d.; and 21 bound vols. of California (mostly San Francisco) and Eastern newspapers, 1855-78 and 1907.

From MR. SAMUEL C. WIEL—*Placer Times*, Sacramento City, Vol. I, No. 26, Nov. 3, 1849, and Vol. I, No. 29, Nov. 24, 1849; *The Prospector*, Quincy, Amador County, Vol. I, No. 12, June 9, 1855; *San Juan Press*, Nevada County, March 28, 1862.

PICTURES AND MAPS

From MR. LAURENCE E. BULMORE—18 photographs of New Almaden quicksilver mines and people associated therewith.

From MR. E. A. BURBANK—Broadside: reproduction of a drawing of an old stagecoach, by E. A. Burbank, illustrating poem, "Overland Derelict," by White Fox Skyhawk, 1940.

From MR. TEMPLETON CROCKER—Pen and ink cartoon depicting bank failures in San Francisco, Feb. 1855; colored cartoon showing Stephen J. Field, Charles Crocker, Isaac M. Kalloch, Frank M. Pixley, etc.; orig. watercolor cartoon of Capitol Saloon, by E. Jump; 4 colored lithographs of "Tipos Californianos," by José Baturone, made in Cuba in 1850: "At the Play," (large lith.), by C. G. Gariboldi, S. F., 1879; "Birds Eye View of the City of San Francisco," by George H. Goddard, lith. by Britton & Rey, pub. by Snow & Roos, 1868 (framed); "City of San Francisco from Rincon Point," by F. N. Otis, lith. by C. Parsons, N. Y. (framed); "View of San Francisco Taken from the Telegraph Hill," pub. by Corson & Armstrong, New Orleans; "Brookside, San Mateo County—Residence of F. W. Macondray," lith. by Gihon & Butler, S. F.; "Columbia, January 1852," drawn by G. H. Goddard, lith. by Pollard & Britton; "Grass Valley, Nevada Co., California," drawn and lith. by Kuchel & Dresel, 1858; "Lake Tahoe & Western Summit from Zephyr Cove," lith. by George H. Baker, S. F.; "North San Juan, Nevada County, California," 1858, drawn and lith. by Kuchel & Dresel, printed by Britton & Rey; "San Diego" [1850?] lith. by E. Weber & Co.; "San Mateo House," by C. G. Gifford, printed by L. Nagel; S. F. "Mammoth Tree Grove," by T. A. Ayres, col. lith. by Kuchel & Dresel, printed by Britton & Rey, S. F., 1855; "South Dome, Liberty Cap & Nevada Fall, Yosemite," lith. by George H. Baker, S. F.; "Yosemite Fall 2,634 Feet High," lith. by George H. Baker, S. F.; "Yosemite Valley—California, 'The Bridal Veil' Fall," col. lith. by Currier & Ives, 1866; "Views of the New Ditch of the Columbia & Stanislaus River Water Co.," by F. Holtzmann, lith. by Kuchel & Dresel, S. F., pub. by F. Holtzmann, Columbia; 4 colored liths. of "Californie" by A. Judels, Amsterdam: "De Sacramento Rivier Colonie . . . .," "Goudzoekers Colonie aan de Pen Rivier . . . .," "Het Uitbaggeren . . . . aan de Pen Rivier," "Staad en Baay S. Francisco . . . ."; "Assemblée des Chefs des Iles Sandwich . . . .," by Masselot, lith. Thierry Frères par Bichebois (colored); "Vue d'une rue d'Honoloulu . . . .," by Masselot, lith. Thierry Frères par Bichebois (colored); "Clipper Ship, Three Brothers," pub. by Currier & Ives; Certificate of membership of Chas. Neumann in the Society of California Pioneers, lith. by Nahl Bros., S. F.; "Le Presidio de Monterey," eng. by Alexandre Tardieu; 3 pictorial letter sheets: "Coining Money at the San Francisco Branch Mint," "James Stuart Hung by the Vigilance Committee . . . ., 1851," "Tremendous Excitement! Samuel Whittaker and Robert McKenzie . . . . Hung by the Vigilance Committee"; 2 large water colors of San Francisco: "Maison Rothschild Frères, 2 Mois avant l'Incendie," and "Maison Rothschild Frères le Lendemain d l'Incendie"; 2 small photographs: Josh Billings and W. P. Willis; Maps: Northern Portion of San Francisco County, comp. from surveys by Clement Humphreys, S. F., 1853 (framed); Pacific and Atlantic Railroad Map of the United States, n. p., n. d.; Public Surveys in California to accompany Report of Surveyor Genl., 1854.

From MR. SAMUEL HUBBARD—Panorama of San Francisco, 1851, from Rincon Hill (large framed photograph).

From NATIONAL SOCIETY OF COLONIAL DAMES OF AMERICA—5 metal cuts of views of San Francisco used in pamphlets issued by the donor.

From MR. HERMANN W. WILLIAMS, JR.—Photographs (11) mostly of lumbering scenes in northern California.

MISCELLANEOUS

From MR. LAURENCE E. BULMORE—Letter from Robert R. Bulmore to David Mahany, pres. of The Quicksilver Mining Company, New Almaden, Dec. 6, 1890.

From MR. ROBERT E. COWAN—Broadside: Citizen's Reception to Mayor Eugene E. Schmitz, Nov. 28, 1906; Large poster of Chinatown Grand Pageant and Carnival, S. F., Aug. 21 to 29, 1915; Playbill of Forrest Theatre, Oct. 13, 1857 (framed).

From MR. TEMPLETON CROCKER—"California Gold Mining Stock" (broadside); Program of Evening Service, July 17, 1853, Dedication of the First Unitarian Church, S. F.; "The Loss of a California Brother," poem pub. by Daniel Watts, S. F., ca. 1860 (broadside); Invitation to Assembly of St. Nicholas Club, S. F., Jan. 23, 1855; Synopsis of Report of the Chief Engineer of the California and Oregon R.R. Co. on the Preliminary Survey, by S. G. Elliott, Chief Engineer, Dec. 7, 1863 (broadside); Song: "An Hour at the Cliff," words by Walter Bray, music by W. D. Corrister, illus. by lith. of Nahl Bros.

From MR. ROBERT E. EASTON—Photostat of a silver menu of dinner in honor of William Sharon, Palace Hotel, S. F., Feb. 8, 1876.

From MR. EDWIN FRICKE—Large leather trunk formerly the property of Hon. Milton S. Latham.

From CAPT. R. E. O'NEILL—Typewritten MS, "The Uprising of the Indians at La Purisima on Feb. 21, 1824," from records of La Purisima Mission; Map of land grants in Santa Barbara County and list of grantees (photostats).

From MR. HENRY R. WAGNER—"Casa de Educacion y Pupilage," MS, dated at Monterey, Dec. 10, 1833, and signed by "Guill[erm]o Ed[uard]o Hartnell" (prospectus of Hartnell school); 77 typewritten copies of documents in the Archives of Seville, the majority relating to expeditions to the Northwest coast of America.

In Memoriam

DESIRÉ FRICOT

1868-1940

On December 6, 1940, Calaveras County lost one of its most useful and best loved citizens when Desiré Fricot died at his home in Fricot City.

Born in Paris, France, on April 4, 1868, while his parents, Jules Fricot and his wife, American citizens, were traveling abroad, he was immediately registered as an American citizen. His early education was received from tutors, and he finished his schooling in Paris, as an engineer. He wrote and spoke fluently several foreign languages.

After traveling extensively in many countries, he returned to California in 1893, and spent several years mining at Grass Valley and at Sheep Ranch, Calaveras County. His father had come to California from France in the *Medicis*, in 1851, and had mined at Rich Bar and Grass Valley before going to Calaveras County to live. Desiré Fricot, during his mining career, spent a number of years operating on the "Sandpile," as the tailings from the mines on the Cosumnes River were known.

Soon after his marriage, on November 10, 1898, to Miss Lillian Eichelroth, daughter of Dr. Eichelroth, of Sonora, Mr. Fricot built a home near Sheep Ranch on what had been his father's property on San Antone Ridge, now Fricot City. This house was destroyed by fire in 1917, but it was rebuilt, and until his death he continued to make his home there, when he was not traveling.

Mr. Fricot was a personal friend of the late Georges Clemenceau. During the World War, he went to France and gave aid to the Allied cause. He was later made a member of the French Legion of Honor and was also decorated by the Serbian Government with the Order of St. Sava.

Desiré Fricot made many opportunities to be of service to his state and county. Throughout his life he was noted for his efforts in helping others. One of his special interests was in giving financial assistance to worthy boys, particularly in helping them to obtain educations. He was especially interested in the Boy Scout program and was known as the "father" of Boy Scout work in the San Joaquin-Calaveras district. At the time of his death he was president emeritus of the council and chairman of the Calaveras County district. His home at Fricot City was a mecca for Scouts from all over northern California. There and at Angels Camp and San Andreas, he had Scout huts and other buildings constructed for their convenience.

He was actively interested in the California Historical Society and was one of its patron members. A few years ago Mr. Fricot purchased the old American Hotel in San Andreas, and after remodeling it, converted it into an historical museum and library.

Mr. Fricot was a moving factor in the successful attempt to have the Calaveras Grove of Big Trees incorporated into the State Park system, and gave generously of his time and money to accomplish this purpose. He was for many years president of the Calaveras County Chamber of Commerce, and a member of the Angels Camp Boosters Club and of the San Andreas Progressive Club. Only a few days before his death these organizations dedicated to him the recently completed recreation center at Calaveras Big Trees.

Besides his widow, and hundreds of friends, Desiré Fricot leaves a sister, Mrs. George A. Berton, of San Francisco.

STUART L. RAWLINGS

1875-1940

Stuart L. Rawlings, a former director and vice-president of the Society, died at his residence in Piedmont on November 9, 1940, of a heart attack. At the time of his death he was sixty-five years of age.

Mr. Rawlings was born at Virginia City, Nevada, in 1875, and received his education in Oakland at the Oakland High School and at the University of California, from which he graduated in 1899. Long prior to his graduation he had decided to adopt mining as his career, in which he was no doubt influenced by the fact that his father, Lloyd Rawlings, had been engaged in the same business.

Following his graduation, Mr. Rawlings first engaged in mining in Mexico, where he rose to be the manager of the San Luis Mining Company. From there he was called to Peru to head the mining operations of the Cerro de Pasco Copper Company in the Andes Mountains, where he remained until 1921, when he retired and returned to the Bay region to live. Thus, prior to his retirement, he had reached the top of his profession, mining.

On his return to the San Francisco Bay region he settled in Piedmont and built a home there, where he resided until his death.

Although when he returned to the Bay region in 1921 he was almost a newcomer, it was not long before he became an active part of the business life of that vicinity. In 1934 he became chairman of the Industrial Committee of the Federal Reserve Bank in San Francisco. He was also executive vice-president of the Calaveras Cement Company, and a director of The Pacific Telephone and Telegraph Company, The Bank of California, and the Fireman's Fund Insurance Company. In 1939 he became a director and member of the Executive Committee of the Southern Pacific Company. He also served a term as president of The Pacific-Union Club and was a trustee of Stanford University.

Mr. Rawlings was married in 1904 to Miss Eleanor Warner, who, with three children, Stuart L. Rawlings, Jr., Eleanita (Mrs. Edward W. Engs), and Jean (Mrs. Sherman Chickering), survive him. He also left three surviving grandchildren.

Mr. Rawlings was of old American stock, one of his ancestors having been an officer in the Revolutionary War. He belonged to the Society of the Cincinnati. He was modest and unassuming and of a very friendly disposition, and his passing was a blow to a large circle of friends and acquaintances.

ALLEN L. CHICKERING

We regret also to report the death, on October 9, 1940, of Mr. Sam Behrendt, of Los Angeles, a member of the Society. Mr. Behrendt's obituary is in course of preparation but had not been received at the time of going to press.

Marginalia

Bliss Brown, a native of Ohio, graduated from Michigan State College, Lansing, in 1903 and received his degree as Master of Science from the University of California in 1911. After serving as professor of horticulture at the University of Maine for several years, he settled in California as a practitioner in the same field.

Fritz Ludwig Cohn is a native of Germany and a grandson of Henry Cohn. He came to this country in 1929 and entered the University of California, where he received his degree as a Doctor of Philosophy. He is an American citizen, a member of Phi Beta Kappa, teaches German in the University of California Extension Division, and has published several literary articles.

Rev. Clifford M. Drury, Ph.D., is head of the Department of Church History and Missions at the San Francisco Theological Seminary, San Anselmo. He has long been a student of the history of the Protestant church in the West, and is the author of *Henry Harmon Spalding* (Caldwell, Idaho: The Caxton Printers, 1936), *Marcus Whitman, M. D.* (Caldwell, 1937), and *Elkanah and Mary Walker, Pioneers Among the Spokane* (Caldwell, 1940).

Doris Marion Wright is a native of California and received her Bachelor's degree at Pomona College and her Master's from Claremont Colleges. She is at present working on a study of the Cape Horn route to California.

Among our new members are noted the following:

Mr. Edward Strong Clark is engaged in the shipping business. He is an associate of the Peabody Museum, of Salem, Massachusetts, and a member of the Editorial Advisory Board of that institution's new quarterly publication, *The American Neptune*. He is also an associate of the Marine Historical Association, of Mystic, Connecticut. Mr. Clark is greatly interested in the history of shipping, marine development, and all phases of maritime research, and has built a large private collection in that field. During the past few months he has been active in the formation of a marine museum in San Francisco and assembled the collection on exhibition in the Merchants Exchange Building.

Mr. William W. Clary is a member of the law firm of O'Melveny & Myers, Los Angeles. He is a graduate of Pomona College, a member of the Board of Fellows of Claremont Colleges, a past president of the Zamorano Club, and was at one time attorney for the California State Railroad Commission.

Mr. John A. Leermakers, of Rochester, N. Y., is a member of the staff of the Research Laboratories of the Eastman Kodak Company. His undergraduate work was done at Iowa State College, and his graduate work at the California Institute of Technology, where he received his Ph.D. in chemistry in 1932. He is interested in the early transcontinental trails, and would like to hear from others similarly interested.

Miss Henrietta Moffat is a sister of Mrs. Alfred McLaughlin, who has been a member of the Society for many years. Their father, Henry Moffat, came to California at the age of seventeen, from Rhode Island, in 1857, and went into the cattle business. During most of his life in California he was a meat packer.

It is a pleasure to announce the addition to the Society's staff of Jeanne Van Nostrand (Mrs. John James Van Nostrand) as librarian. She is a graduate of the University of California and holds the degree of Master of Arts in Librarianship from the School of Librarianship of that institution. She served as a high school librarian for four years, and was a member of the staff of the University of California Library for two years. Her *Subject Index to High School Fiction* was published by the American Library Association in 1938.

Hon. Frederic W. Howay, of New Westminster, British Columbia, has been a frequent visitor to the rooms of the Society during his stay in San Francisco. He is the editor of *The Journal of Captain James Colnett*, recently printed by The Champlain Society, Toronto, for its members, and the author of many other historical works. Judge Howay has been a member of this Society for many years.

Hon. Léonce Jore, late governor of the Society Islands and of New Caledonia, was also a recent caller at the rooms of the Society. M. Jore is engaged in the preparation of a life of Jacques Antoine Moerenhout, who was consul of France at Tahiti, at Monterey, and at Los Angeles. Moerenhout's reports as consul at Monterey were published in this QUARTERLY, it will be recalled, in 1933 and 1934 under the title, "The French Consulate in California," a portion of which was issued in book form in 1935 as *The Inside Story of the Gold Rush.*

A *History of Contra Costa County*, by Mae Fisher Purcell (Mrs. Louis Purcell), one of our members, will be published in the near future.

Another of our members, Mr. Robert W. Long, has recently completed a Master's thesis entitled "History of the Development of Educational Institutions in the Californias, 1698-1860," which is on file at Claremont Colleges Library, Claremont, California.

The Thirty-Sixth Annual Meeting of the Pacific Coast Branch of the American Historical Association will be held December 29-31, 1940, at the University of California, Berkeley. An interesting series of papers is scheduled for presentation during the sessions of the last two days. Members of this Society are invited to attend.

Several memberships in the Society are being given as Christmas gifts this year. An excellent idea.